

# **Cronyism, Muddle and Money: Land Allocation in Tasmania under the Waste Lands Acts, 1856-1889**

**Bronwyn Meikle**

Grad Dip Hum (University of Tasmania 2007), B Business (Accounting) (CQU 2004), B Education (BCAE 1989), G Dip Teacher-Librarianship (BCAE 1980), Cert Teaching (KGCAE 1969).

Submitted in fulfilment of the requirements for the degree of Doctor of Philosophy University of Tasmania, August 2014

This thesis may be made available for loan and limited copying in accordance with the *Copyright Act 1968*.

Bronwyn Dorothy Meikle

This thesis contains no material that has been accepted for the award of any other degree in any tertiary institution. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due acknowledgement is made in the text of the thesis.

Bronwyn Dorothy Meikle

## **Abstract**

With the granting of self-government to the colonies of eastern Australia in the 1850s, each colony became responsible for its own land legislation. Each produced legislation that enabled settlement by small farmers, the selectors. In New South Wales, Victoria and Queensland this led to conflict between the selectors and those who had previously established their sheep runs on the land, the squatters, as they became known in Australia. The land legislation also enabled the development of agriculture in those colonies. Tasmania produced twenty-one Waste Lands Acts over a period of thirty-one years, and introduced a number of land schemes to attract immigrants. In spite of these attempts, the Tasmanian economy remained in depression, agricultural output declined, and immigration stagnated.

This thesis argues that the Waste Lands Acts of Tasmania were critical for the economic development of the country. Under British rule, the land legislation had created a monopoly in which the large landholders, the pastoralists, controlled the best land and the parliament. After self-government, the Waste Lands Acts determined how and where people lived and they determined the economic and political relationships between the small farmers and the monopolists.

This thesis has two major lines of enquiry. The first is centered on the land legislation, the Waste Lands Acts of Tasmania, under which land was alienated from 1858 to 1889. The second examines the way people lived under the provisions related to small farming. The main sources used include the legislation,



the parliamentary papers, the parliamentary debates, and the official archives. A number of farm diaries and associated correspondence, from both the Tasmanian Archive and Heritage Office (TAHO) and from private collections, have been used, as well as contemporary newspapers and journals.

The thesis has three parts. The first contains introductory material. It examines the systems of land alienation and the way people lived under these prior to self-government. It then provides an economic history for the period studied here, 1858 to 1890. The second part analyses the Waste Lands Acts, the debates that drove them, their provisions, their economic impact and the way the new settlers lived under them. The third part is a case study of an agricultural area opened for settlement under the Waste Lands Acts.

This thesis contributes to knowledge by providing an economic and social history of a period previously little studied. It found that democratization of land ownership, a major driving force behind the land legislation in the other Australian colonies, was largely absent in Tasmania. Instead, the Waste Lands Acts were driven by the ideal of improvement, which was to be achieved by settling yeoman farmers on the land. Their implementation was flawed. The financial constraints, under which the Tasmanian government operated, meant the primary purpose of the land legislation must be to raise revenue, not encourage agriculture. They fuelled a pastoral land grab. Settlement of agricultural lands and exploration of the rich mineral lands were delayed by the practice of withdrawing lands from selection on the grounds that they might be auriferous. The operation

of the Waste Lands Acts was further hampered by the refusal of the Legislative Council, Tasmania's upper house in parliament, to agree to the construction of roads and bridges in the new areas being opened up. This prolonged the economic depression. In spite of these hindrances, selectors did establish new farms, contributing to the restructuring of agriculture and helping to fuel the development of regional economies.

## Acknowledgements

I wish to acknowledge the support given to me by staff in the School of Humanities at the University of Tasmania, and in particular the encouragement and opportunities provided by my supervisors, Dr Stefan Petrow and Adjunct Associate Professor, Peter Chapman.

This thesis contains extracts from a number of historical charts and survey plans of Tasmania and some satellite imagery. These were provided by the Tasmanian Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division (DPIPWE). The Department is currently digitizing these documents, but the project was not complete while I was undertaking this research. I wish to acknowledge the assistance given to me by staff of the Information and Land Services Division who made it possible for me to access and use copies of the materials for the thesis. Many of these charts and plans will be available to the public from 2013 by way of the Department website, the Land Information System Tasmania (LIST), <http://www.thelist.tas.gov.au/>.

Thanks are also due to the staff at the Tasmanian Archive and History Office (TAHO) and to staff in the University libraries for their timely service.

This thesis would never have been undertaken without the unfailing support and encouragement from two history teachers, my husband Dave, and daughter, Penny. Thank you for sharing your love of history with me.

## Table of Contents

List of Figures .....	ix
List of Images.....	xi
List of Maps .....	xii
List of Tables.....	xiii
Abbreviations .....	xiv
Introduction .....	1
Chapter One: An Unjust and Grievous Monopoly: Tasmania 1856.....	21
Chapter Two: The Long Depression 1857-1875.....	85
Chapter Three: Waste Lands, Experiment and Speculation 1858-1862 .....	157
Chapter Four: Waste Lands, Stagnation 1864-1869 .....	222
Chapter Five: Waste Lands, Turning Point 1870-1879 .....	289
Chapter Six: Waste Lands, The Boom Years 1880-1889 .....	347
Chapter Seven: Gould's Country: a Case Study of Selection in Tasmania .....	406
Conclusion .....	462
Appendix One .....	473
Appendix Two.....	474
Appendix Three.....	476
Appendix Four .....	477
Appendix Five.....	478
Bibliography.....	480

## List of Figures

Figure 2.1	Tasmanian Population 1850-1890	95
Figure 2.2	Net Migration 1850-1890	96
Figure 2.3	Value of Exports and Imports 1850-1890	102
Figure 2.4	Balance of Trade and Balance of Trade Corrected for Commissariat Expenditure	103
Figure 2.5	Export Values for Wool 1850-1890	107
Figure 2.6	London Prices for Australian Wool 1850-1890	109
Figure 2.7	Export Values for Wool, Grain and Grain Products 1850-1890	110
Figure 2.8	Value of Wool and Timber Exports 1850-1890	111
Figure 2.9	Value of Whale Exports 1836-1890	113
Figure 2.10	Value of Export for Wool, Fruit Products and Potatoes, Hops 1850-1890	114
Figure 2.11	Tasmania Number of Vessels Inwards, 1857-1890	118
Figure 2.12	Shipping Tonnage Inwards 1850-1890	119
Figure 2.13	Sheep Numbers 1850-1890	122
Figure 2.14	Wool Exports by Weight 1850-1890	123
Figure 2.15	Land in Cultivation and in Crop 1853-1890	128
Figure 2.16	Wheat Production 1856-1890	130
Figure 2.17	Potato Production 1856-1890	131
Figure 2.18	Hop Production 1856-1890	132
Figure 2.19	Number of Trades and Manufactories 1850-1890	135

Figure 2.20	Mineral Exports 1850-1890	136
Figure 2.21	Major Sources of Revenue 1853-1890	139
Figure 2.22	Revenue and Expenditure 1853-1890	140
Figure 2.23	Tasmania Public Debt 1872-1890	142
Figure 2.24	Tasmanian Banks Value of Holdings of Coin 1850-1890	143
Figure 2.25	Numbers Declared Bankrupt	145
Figure 3.1	Land Sales 1858-61	206
Figure 4.1	Sales of Country Lands 1864-9	272

## List of Images

Image 1.1	West Side of Arthurs Vale ca 1790	33
Image 1.2	Arthurs Vale Norfolk Island 2014 (Meikle collection)	35
Image 7.1	St Helens District 2009, (TASMAP)	413
Image 7.2	Union Church Goulds Country 2013(Meikle collection)	432
Image 7.3	Trowbridge's Hotel (St Helens History Centre)	442
Image 7.4	Building at Alexander Johnston's Selection (Meikle collection)	446
Image 7.5	Ernest Hall's Shop	448
Image 7.6	Goulds Country Cemetery: Yost Family Grave (Meikle collection)	452
Image 7.7	Alexander Johnston at St Gabriel's Anglican Church (St Helens History Centre)	455

## List of Maps

Map 1.1	Extract from Plan of Settlers' Lots and Ground Cultivated for the Publick on Norfolk Island 1794	34
Map 1.2	County of Wellington 1859 Extract from Tasmania by James Sprent	42
Map 1.3	Transhumant Sheep 1953	53
Map 1.4	County of Devon 1859 Extract from Tasmania by James Sprent	58
Map 3.1	Lands for Sale, County Monmouth Parish Lansdowne, 1858	191
Map 3.2	Devon 1860	217
Map 4.1	County of Dorset 1859 Extract from Tasmania by James Sprent	249
Map 4.2	Don River Land Sale	280
Map 6.1	Towns in Tasmania 1891	397
Map 6.2	Land Alienation in Tasmania 1889	398
Map 7.1	Extract from Map of Goulds New Country: Country of Dorset	416
Map 7.2	Goulds Country: Extract from Dorset 76	420
Map 7.3	First Selections: Extract from Dorset 76	423
Map 7.4	Anchor Tin Mine: Extract from Dorset 76	438
Map 7.5	Goulds Country: Fitzgerald's Sketch	441
Appendix 3	Geographical Tasmania	476
Appendix 4	Tasmanian Towns	477
	Tasmania by James Sprent, copy on cd-rom inserted inside back cover	



## List of Tables

Table 1.1	Tasmania: Acreages Alienated at 1850	23
Table 1.2	Land Alienation under the 1851 Regulations	67
Table 3.1	Agricultural Output under the <i>Waste Lands Act 1858</i>	212
Table 4.1	Land Sales 1858-64	256
Table 4.2	Wool Exports, 1858, 1862, 1869	273
Table 4.3	Agricultural Output 1858/9, 1868	276
Table 4.4	Livestock Numbers 1858/9, 1868	278
Table 5.1	Selections by County 1870-1881	328
Table 5.2	Wool Exports, 1858, 1862, 1869, 1879	329
Table 5.3	Agricultural Output 1858/9, 1868, 1879	330
Table 5.4	Livestock Numbers 1858/9, 1868, 1879	330
Table 6.1	Wool Exports, 1858, 1862, 1869, 1879, 1889	391
Table 6.2	Agricultural Output 1858/9, 1868, 1879, 1889	395
Table 6.3	Livestock Numbers 1858/9, 1868, 1879, 1889	396

## Abbreviations

HTG	<i>Hobart Town Gazette</i>
JHA	<i>Journals of the House of Assembly</i>
lbs	Pounds weight
LCJ	<i>Legislative Council Journals</i>
LE	<i>Launceston Examiner</i>
MHA	Member of the House of Assembly
MLC	Member of the Legislative Council
s	shillings
TAHO	<i>Tasmanian Archive and History Office</i>
TJPP	<i>Tasmania Journals and Papers of Parliament</i>
VDLLCJ	<i>Van Diemen's Land Legislative Council Journals</i>

# Introduction

When the Australian colonies gained self-government during the 1850s, they gained control of their largest asset, the land. This triggered a change in land policy. Before the 1850s, Britain had regarded the Australian land as an asset to be used for the benefit of the whole empire and accordingly attempted to guard against its wholesale alienation, but the new Australian governments saw it as a resource for their constituents.<sup>1</sup> These changed rapidly with the gold discoveries in Victoria and New South Wales, and the introduction of universal suffrage in those colonies which rapidly followed saw power in the parliament eventually transferred from the squatters (pastoralists) to ‘the landless men of the Australian colonies’, emancipists, free immigrants, and, outnumbering both these groups, the new immigrants in search of gold.<sup>2</sup>

In response to demands from this group, colonial governments introduced land legislation that gave the small holder access to land ownership under easy credit terms. The results in New South Wales and Victoria were generally similar, in that the acts provided the conditions under which agriculture developed in eastern Australia. They also resulted in conflict between squatters and the small land holders, the selectors.<sup>3</sup> In Tasmania, the land legislation appears to have produced different results. The government regularly produced new land legislation across

---

<sup>1</sup> S H Roberts, *History of Australian Land Settlement 1788-1920*, (Melbourne, 1968, first published 1924), pp 227-8; B Davidson, *European Farming in Australia: An Economic History of Australian Farming*, (Amsterdam, 1981), p 134.

<sup>2</sup> Davidson, *European Farming*, p 134.

<sup>3</sup> Roberts, *Australian Land Settlement*, pp 41-3, 47-51, 227-8.

three decades, but this failed to secure sufficient revenue in the long term or to stimulate the flagging economy. Agricultural production declined in the first decade in which the new Waste Lands Acts operated, and continued to struggle thereafter.<sup>4</sup>

Part of the reason for the different results in Tasmania lay in its past. Van Diemen's Land, like New South Wales, was settled in the period from 1780 to 1830, at a time when British land policies were not based on economic or colonisation theories. Instead, Britain exploited the colonies to provide reward and patronage for those who served Britain loyally in its many wars. Weaver described this period of settlement thus:

Occasionally, the British government recognized that the disposal of crown lands could yield revenue to sustain a colony's executive authority and relieve the treasury in London of expense, but this impulse was spasmodic and generally ineffectual. Cronyism and muddle prevailed.<sup>5</sup>

For over thirty years, land was apportioned according to the governor's favour and the recommendations of the Colonial Office in England, with the result that land policy and private interests became inextricably enmeshed. Then, in 1835, the pastoralists of Van Diemen's Land carried this cronyism and muddle across Bass Strait in their invasion of the Port Phillip District, now Victoria. In his examination of this settlement, Boyce reported that:

---

<sup>4</sup> 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, paper 150, (1891), pp 10-1.

<sup>5</sup> John Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900*, (Montreal, 2003), p 26.

So inseparable was government policy from private practice that there was considered nothing wrong with officials engaging in land speculation or becoming squatters themselves, and in the early years of settlement most supplemented their wage, sometimes many times over, by doing so.<sup>6</sup>

In New South Wales and Victoria, this pattern came under attack with the granting of universal manhood suffrage in 1859, which gave gold rush immigrants and workers representation in the new parliaments. This thesis will show that, in Tasmania, the old cronyism and muddle prevailed long after the granting of self-government. It was challenged, not by new immigrants or universal manhood suffrage, but by the government need to establish a secure base for revenue. This task was doubly difficult in Tasmania where government and private interests were so interwoven.

There is no record, in history, literature, or the popular culture of Tasmania, of conflict between squatters and selectors; in fact, these terms are rarely used in Tasmanian history. In Tasmania, terms such as 'pastoral magnate' or 'gentry' are used instead.<sup>7</sup> In Michael Roe's definition, a squatter was someone from Britain's upper classes.<sup>8</sup> Connell and Irving concluded that Van Diemen's Land rural society approximated a landed gentry.<sup>9</sup> Maurice French carried the argument further, suggesting that, because the gentry controlled the land in Van Diemen's

---

<sup>6</sup> James Boyce, *1835: The Founding of Melbourne and the Conquest of Australia*, (Collingwood, Vic., 2011), p 149.

<sup>7</sup> Lloyd Robson, *A History of Tasmania: Volume 2 Colony and State from 1856 to the 1980s*, (Melbourne, 1991), p 70; Henry Reynolds, 'Men of Substance and Deservedly Good Repute - Tasmanian Gentry 1856-1875', *Australian Journal of Politics and History*, 15, no 3, (1969), pp 61-72'.

<sup>8</sup> Michael Roe, *Quest for Authority in Eastern Australia 1835-1851*, (Melbourne, 1965), pp 116-8.

<sup>9</sup> R W Connell and H Irving, *Class Structure in Australian History*, (Melbourne, 1980), pp 53-4.

Land, the squatters were forced to find new land in the Port Phillip district.<sup>10</sup> However, Boyce has shown that the main reason for the pastoral expansion into Victoria was the shortage of suitable grazing lands in Van Diemen's Land.<sup>11</sup> Furthermore, some Australian squatters never lost their connection with Tasmania. The Victorian squatter known as 'Long Clarke' had left his Van Diemen's Land estate to be managed by his sons when he took up residence permanently in Melbourne in 1850, but he purchased almost 6,000 acres under the *Waste Lands Act 1858*.<sup>12</sup> Edward Dumaesq, a former government surveyor turned squatter, expanded his pastoral empire out of Van Diemen's Land and across the eastern colonies, but continued to live in Tasmania for part of each year.<sup>13</sup>

John Weaver's definition of a squatter is 'someone who violates formal rules to occupy land in order to generate an interest'. Weaver noted that in Australia squatters achieved respectability.<sup>14</sup> This is the definition used in this thesis, which is less concerned with the class origins of the Tasmanian pastoralists but more interested in their behavior in relation to the colonial land legislation. Chapter One will show that this was characterised by a determination to acquire and hold land in defiance of both British and colonial land legislation. In this thesis, the term

---

<sup>10</sup> Maurice French, 'Squatters and Separation: a Synoptic Overview', *Queensland History Journal*, 20, no 13, (February 2010), p 806.

<sup>11</sup> Boyce, 1835, pp 16-25.

<sup>12</sup> Hugh Anderson, 'Clarke, William John Turner (1805 - 1874)', *Australian Dictionary of Biography*, Online Edition, (2006), <http://www.adb.online.anu.edu.au/biogs/A010216b.htm>, published in hardcopy 1966, accessed online 6 January 2010; 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), p 76.

<sup>13</sup> Roger Page, 'Dumaesq, Edward (1802-1906)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/dumaesq-edward-2002/text2445>, published in hardcopy 1966, accessed online 26 February 2010.

<sup>14</sup> Weaver, *The Great Land Rush*, p 76.

‘pastoralist’ is generally applied to the large landowners of Tasmania. ‘Squatter’ is used when referring to their illicit occupancy of Crown land, and ‘gentry’ is used to distinguish them in terms of class from the workers. All three terms apply to the same group of people.

The history of land allocation and use during the first fifty years of British settlement in Van Diemen’s Land has been the subject of three major studies.<sup>15</sup> There has been only one similar study after Van Diemen’s Land became the self-governing colony of Tasmania in 1856. A thesis by H J W Stokes examined the development of the farming community in north-west Tasmania from 1858 to 1910. It refers to the Waste Lands Acts, but only in relation to their application in that region. Stokes did not examine the provisions relating to pastoral lands, or compare settlement in the north-west with any other region.<sup>16</sup> Tasmanian historian and publisher, Michael Sprod, pointed out that the latter half of the nineteenth century was a crucial period in the formulation of modern Tasmanian society, yet it has received little attention from historians.<sup>17</sup> This thesis contributes an economic and social history of this neglected period, through an examination of the land legislation.

---

<sup>15</sup> R M Hartwell, *The Economic Development of Van Diemen's Land 1820-1850* (Melbourne, 1954); Sharon Morgan, *Land Settlement in Early Tasmania: Creating an Antipodean England* (Cambridge, 1992); (Peter) James Boyce, 'An Environmental History of British Settlement in Van Diemen's Land: The Making of a Distinct People, 1798-1831', PhD Thesis, University of Tasmania, 2006.

<sup>16</sup> H J W Stokes, 'North-West Tasmania 1858-1910: The Establishment of an Agricultural Community', PhD thesis, Australian National University, 1969.

<sup>17</sup> A Whitehead, F Vernon and M Sprod, *The Whitehead Letters; Tasmanian Society and Politics 1871-1882*, (Hobart, 1991), p 1.

The time frame is limited to the years in which the Tasmanian parliament passed its Waste Lands Acts, from self-government in 1856 to the passing of the last of the Waste Lands Acts in 1889. Tasmania was the only Australian colony to refer to its Crown lands as ‘waste lands’ in the legislation. In 1890, it abandoned the use of the term ‘waste lands’ and passed the *Crown Lands Act 1890*. This thesis will show that the change in terminology from 1890 marks a significant change in attitudes to land alienation and this makes a logical end to the study.

Tasmania is the smallest of the Australian states, in terms of area, population and economic activity; of what relevance in the modern world are the events of one hundred and fifty years ago? Burroughs pointed out that land was the most valuable natural resource in any colony, and the way in which government permitted this to be acquired and exploited ‘materially influenced every aspect of economic and social development’.<sup>18</sup> At this time, we know little about the first half century of Tasmania’s history, after it ceased being the penal colony of Van Diemen’s Land, and we do not know how or why Tasmania formulated its land legislation in this period. Without such knowledge, our understanding of Australian history is incomplete. This thesis will show that policy decisions made even in apparently insignificant local areas can have much wider implications. For example, Boyce argued that the close relationship between the squatting interests and colonial governments in Van Diemen’s Land and New South Wales encouraged the pastoral expansion into Victoria in 1835, but that this apparently

---

<sup>18</sup> Peter Burroughs, *Britain and Australia 1831-1855: a Study in Imperial Relations and Crown Lands Administration*, (Oxford, 1967), p 1.



small expansion in one industry led to the pastoral takeover of the grasslands of eastern Australian and the destruction of the Aboriginal occupants.<sup>19</sup>

The story of Tasmania's Waste Lands Acts is also the history of the Island's regional economies in the thirty-five years following self-government. Hess argued that the value of regional economic history was '...for illuminating the material underpinnings of society through a focus on how people have gone about making a living in their particular location'.<sup>20</sup> This thesis presents a history of the regional economies that were made possible under the Waste Lands Acts, and of the lives of the ordinary Tasmanians who created the regional communities.

## Methodology

This research is based on four questions. It first asks: what were the perceptions, values and ideas held about land in Tasmania from the 1850s to 1890? Although this thesis is primarily an economic and social history, it is inevitable, since it involves the study of land apportionment in a developing capitalist economy, that questions will arise related to the human impact on the environment and to the limits on development imposed by the land itself. It accepts the basic environmental history approach that ecological consequences of our past deeds cannot be ignored.<sup>21</sup> It is therefore appropriate that this question is borrowed from environmental history. Worster defined three levels on which environmental

---

<sup>19</sup> Boyce, 1835, pp 191-207.

<sup>20</sup> Michael Hess, 'Who Needs Tasmanian Business and Labour History?' *Tasmanian Historical Studies*, 15, (2010), p 1.

<sup>21</sup> Donald Worster, 'Transformations of the Earth: Toward an Agroecological Perspective in History', *Journal of American History*, 76, no 4, (March 1990), p 1088.

history proceeds. The first involves the discovery of the natural environments of the past. The second focuses on productive technology and its interaction with the environment. The third of these, is 'a mental encounter in which perceptions, ideologies, ethics, laws, and myths have become part of an individual's or groups' dialogue with nature'.<sup>22</sup> This approach allows us to overcome a difficulty caused by the immature nature of colonial government. There were no political parties in early Australia; the colonial parliaments were governed by factions based on personal ties and loyalties.<sup>23</sup> In Tasmania, Townsley found factions dominated parliament, creating unstable ministries and making executive government difficult.<sup>24</sup> As a result, there was very little that can be identified as government policy. Using Worster's approach, and reading 'land' for 'nature', allows us to examine the land question without the need for a party manifesto or government policy.

The second question asks, what were the relationships between economic wealth and political power? The rationale for this approach is found in the argument of Murray and Chester, who pointed out that in Australia, inequalities in the distribution of wealth are pronounced, but this is rarely discussed in Australian social history. They argued that economic historians should detail the relationship between economic wealth and political power in Australia.<sup>25</sup> Connell and Irving claim that 'the class experience is largely determined by the productive relations

---

<sup>22</sup> Worster, 'Transformations', p 1090.

<sup>23</sup> Manning Clark, *A Short History of Australia*, 4<sup>th</sup> ed, (Camberwell, Vic, 2006), pp 174-5.

<sup>24</sup> W A Townsley, *Tasmania: From Colony to Statehood 1803-1945*, (Hobart, 1991), pp 112-5.

<sup>25</sup> Murray and Chesters, 'Economic Wealth and Political Power', p 1.

into which men are born — or enter into voluntarily’.<sup>26</sup> This is important in Tasmania where, for many years following self-government, there were just two distinct social classes, the gentry and the workers.<sup>27</sup> This thesis attempts to detail this relationship in Tasmania.

The Tasmanian economy apparently reached a stalemate around the time when the colony achieved self-government and remained stagnant for the next twenty years, so the third question is concerned with this. What factors limited economic, social and political progress in Tasmania during this time? A more detailed framework is presented with Chapters Three to Seven.

The final question is a logical extension to the second. An examination of wealth and power is incomplete without the study of the opposites. What was life like for those who had neither wealth nor political power, those who selected small farms under the Waste Lands Acts?

Land alienation during the first fifty years of settlement in Van Diemen’s Land has been comprehensively studied, and throws some light on the nature of the colony when self-government was achieved. Hartwell examined land alienation

---

<sup>26</sup> R W Connell and T H Irving, *Class Structure in Australian History: Documents, Narrative and Argument*, (Melbourne, 1980), p 9.

<sup>27</sup> Reynolds, ‘Men of Substance’, pp 61-72; Reynolds accepted Bolton’s argument that the British policies of the 1820s, which attempted to create a landed gentry, were more successful in Van Diemen’s Land than the other colonies. G Bolton, ‘The Idea of a Colonial Gentry’, *Historical Studies*, XIII, October 1868, pp 307-28.

under the various colonial schemes and the economic results these produced from the first settlement up to 1850.<sup>28</sup> His work formed the basis for some of the research for Chapter One in this thesis, but he concluded his analysis before the Victorian gold rush and the controversial Regulations of 1851. There is no economic history for the period studied in this thesis.

Morgan discussed the early land grants and agriculture, the formation of the pastoral estates in the 1820s, and the war against the indigenous inhabitants. She argued that the early settlers in Van Diemen's Land attempted to re-create British life in the colony by giving British names to the new places, applying British farming methods on their grants, participating in traditional British sports, such as cricket, golf and horse racing, and by celebrating holidays in traditional style.<sup>29</sup> Her study concluded with the 1830s.

Boyce offered a new interpretation of the early settlement. He argued that the well-watered fertile valleys, mild climate and abundant wildlife offered a haven particularly for the poor, who now had the means to sustain life on nature's bounty without the need for land ownership.<sup>30</sup> He also argued that while the poor were mostly denied access to the means to create wealth after land policies changed in the early 1820s, this was relatively unimportant to the individuals.<sup>31</sup> More important to convicts and former convicts was 'access, with dignity, to the

---

<sup>28</sup> Hartwell, *The Economic Development of Van Diemen's Land 1820-1850*, (Melbourne, 1954).

<sup>29</sup> Morgan, *Land Settlement in Early Tasmania*, pp 44-7.

<sup>30</sup> Boyce, 'An Environmental History', pp 3, 108-9.

<sup>31</sup> (Peter) James Boyce, *Van Diemen's Land*, (Melbourne, 2008), pp 108-9.

essentials of life, and a life free from the controls and subservience of servitude'.<sup>32</sup> His work concludes in the 1840s, with the expansion of bush settlement into the forest lands. This thesis will show that the position of emancipists and their descendants had changed by self-government, and that legislation afterwards denied them access to basic rights and services available to their contemporaries in mainland Australia.

Both Coghlan and Roberts examined Tasmania's Waste Lands Acts within their discussions on Australian land settlement.<sup>33</sup> Because of the large scope of these works, Tasmanian history is necessarily assigned a somewhat minor part. They concluded that, in terms of settling the yeoman farmer on the land, Tasmanian legislation was a failure. Coghlan pointed out that the trend was to forming large estates with the only small farmers being tenants. He found the incomplete nature of the land returns made it impossible to determine the effect of the *Waste Lands Act 1863* on pastoral lands, but concluded that, while the legislation failed, at least it did not block settlement and part recklessly with the public estate as happened in some other colonies.<sup>34</sup>

---

<sup>32</sup> Boyce, 'An Environmental History', p 409.

<sup>33</sup> T A Coghlan, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901*, 4 vols, (Melbourne, 1969, first published 1918); Roberts, *History of Australian Land Settlement*.

<sup>34</sup> T A Coghlan, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901*, Vol II, (Melbourne, 1969, first published 1918), pp 668-72, 1013-7.

Roberts gave more attention to the acts of 1858 to 1862 than to those of 1863 to 1869, possibly because of the poor data which Coghlan mentioned, but he too found widespread decline, with both the pastoral industry and agriculture stagnant, and land revenue falling. He wrote of the impossible task confronting the selector, who had to contend with low prices for produce, lack of transport, shortage of labour and the difficulty of cultivating with no implement other than a hoe.<sup>35</sup> Neither Coghlan nor Roberts examined the land debates that gave rise to the distinctive features of the Tasmanian legislation. This thesis holds that understanding these debates is necessary for understanding the Waste Lands Acts.

This work is limited by considerations of space. Although the Waste Lands Acts occasionally made some provisions related to mining and irrigation, and always provided for the issue and implementation of licences to cut timber, these are not the primary considerations in this work.<sup>36</sup> Drainage of agricultural lands was an important idea in the land debates and this is discussed.

## Sources and Terminology

The Tasmanian parliamentary papers are a major source, and the reports of various select committees frequently contain verbatim transcriptions of evidence. The usefulness of these depends on the range of persons consulted by the

---

<sup>35</sup> Roberts, *History of Australian Land Settlement*, pp 291-9.

<sup>36</sup> G Roberts studied the relationship between mining and government policy. Glyn Roberts, *Metal Mining in Tasmania 1804-1914: How Government Helped Shape the Mining Industry*, (Launceston, 2007). For the history of irrigation in Tasmania, see Margaret Mason-Cox, *Lifeblood of a Colony: A History of Irrigation in Tasmania* Hobart, (Hobart, 1994).

committees, but in some cases this was very wide, including settlers from all districts in the colony. Even where evidence was given exclusively by the pastoralists, it can provide insights into the dominant mythology. A number of the papers have similar or identical titles, which makes footnoting a problem. In this paper, the customary practice of abbreviating the second and subsequent references to just title has not been followed. More detail has been given in order to ensure the reader can trace the sources accurately. Chapter Two contains more detailed discussion on the sources used to prepare the economic history.

The parliamentary debates, a key source for this study, present problems. There was no Hansard; the fullest account of the debates was published in the *Mercury*, owned by parliamentarian, John Davies. Although other members of parliament accused Davies of not providing accurate reports, Davies himself claimed he did not interfere with reporters' text. Petrow pointed out that it is important to bear in mind Davies' particular biases. While Davies consistently supported the working man, he was fundamentally opposed to democracy as he saw it implemented in Victoria.<sup>37</sup>

Valuation rolls, or assessment rolls, were used in Tasmania to determine the rateable value of property, and they list names of property owners and the main male occupier. After the first elections, they were also used as the basis for

---

<sup>37</sup> Stefan Petrow, 'Outsider in Politics: John Davies in Parliament 1861-1872', *THRA Papers and Proceedings*, 50, no 4, (2003), pp 248-9.

determining the property qualification for electors.<sup>38</sup> It is important to note that they cannot be used to determine a primary place of residence, in the way that modern electoral rolls are used. There are two reasons for this. Tasmania had plural voting at both local and colonial government levels, so a person can be listed as the owner and occupier on rolls in multiple districts. Secondly, the Waste Lands Acts did not require personal residence by selectors.<sup>39</sup> Many, but not all, rolls show 'The Queen' as owner of selections being purchased under the credit clauses.<sup>40</sup> These rolls will not show the names of selectors where tenants or servants occupied the land.

Archival materials held in the Tasmanian Archive and Heritage Office (TAHO) have been used. A range of official archives were used. Correspondence and materials related to the administration of the Waste Lands Acts are mostly located with the Survey Department files, which administered the acts. There are multiple copies of several land registers, some more complete than others, and several volumes are damaged. Other sources include the convict description and assignment lists, the immigration arrival lists, and the files on wills. A number of private archives have been used. Particularly useful in tracing the stories of how

---

<sup>38</sup> L L Robson, 'Press and Politics: A Study of Elections and Political Issues in Tasmania from 1856, When Self Government Came into Effect, to 1871', MA thesis, University of Tasmania, 1955, p 17.

<sup>39</sup> The selection clauses in the Waste Lands Acts are 21 Vict no 33, s 19; 27 Vict no 22, ss 19-26; 32 Vict no 18, ss 1-9; 34 Vict no 10, ss 24-6.

<sup>40</sup> The Fingal roll for 1871 followed this practise; see Assessment Roll for the Rural Municipality of Fingal for the Year 1871, *HTG*, 21 March 1871, pp 427-438. The roll for Deloraine in the same year does not. The evidence of the Byard diaries shows they paid their first instalment on their land in 1871, but 'Byard' is shown as both the owner and occupier. See Assessment Roll Rural Municipality of Deloraine 1871, *HTG*, 21 February 1871, p 247; Byard family-Miscellaneous notes made by members of Byard family, 1871-1876, NS1126/1/2, TAHO.



the small farmers lived are the personal diaries and papers. These are discussed in more detail in the context in which they are used.

A number of historical maps and charts of Tasmania were accessed by courtesy of the Information and Land Services, Department of Primary Industries, Parks, Water and Environment (DPIPWE) and high-resolution copies are provided on the accompanying cd.rom. Readers using the digital copy of this thesis, which does not include high-quality copies of these maps, are advised to consult Service Tasmania's *Land Information System Tasmania* (LIST) website.<sup>41</sup>

Some confusion occurs when using the nineteenth century land documents, because the word 'grant' was used in three different ways in Tasmania. It was used to mean a parcel of land gifted by the Crown to settlers and emancipists at the discretion of the Governor, as discussed in Chapter One. Such land was called a 'free grant', although the word 'free' is often dropped. Both terms are used in this work to mean 'free grant'. It was also the term applied to the transfer of title to a purchaser at the completion of sale. For example, the *Waste Land Act 1858* states '...Conveyances or Alienations shall be made by Deed of Grant', and 'Lands to be conveyed by Grant'.<sup>42</sup> Land was said to have been through the 'granting process' when the 'grant deed' was issued. Since this use is about who has good title to the land, it is distinguished in this thesis by the addition of the word (title). The third use was more generally applied to mean any parcel of Crown land, as in 'Number of grants above 100 acres'; in this case it is a list of

---

<sup>41</sup> <http://www.thelist.tas.gov.au/>, accessed 1 October 2013.

<sup>42</sup> Tasmania. *Waste Land Act 1858*, s 33.

blocks purchased under the *Waste Land Act 1858*, although the sale may not yet have been completed.<sup>43</sup> This paper uses the terms ‘lots’ or ‘blocks’ instead when this meaning is inferred.

In Australian history and literature the term ‘selector’ is used for the small landholder who obtained his land under specific legislation for selection or free selection. This thesis follows this practice, even though squatters in New South Wales, Victoria and Tasmania were also permitted at various times to select land. The terms ‘pastoral selection’ and ‘pastoral selectors’ are used to distinguish cases where the landed gentry were permitted to select land.

Confusion results from the system of naming the Waste Lands Acts, for example, two acts entitled the *Waste Lands Act No 2* were passed between 1858 and 1868. The acts are distinguished in this study by adding in the name of year in which they were passed, for example, the *Waste Lands Act No 2 1859*. At the first mention of each act, the legal citation is given, for example, the *Waste Lands Act 1858* is 21 Vict no 33, allowing the reader to locate any act regardless of the volume in which it was printed. A complete table of the Waste Lands Acts is given in Appendix 1. There is also a list of legislation related to the land matters in Appendix Two. This list excludes legislation related to property inheritance.

---

<sup>43</sup> ‘Statistics for 1859’, *LCJ*, V, paper 25, (1860), p 58.

A contemporary map is provided for the reader. ‘Tasmania by James Sprent’, is reproduced with the permission of the Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania. Since it is too large to be included in print format, a copy has been provided on the accompanying disk. Two modern maps of Tasmania are provided for the reader. A geographical map is shown in Appendix Two, and a map showing the modern towns of Tasmania is found in Appendix Three.

## **Thesis outline**

This work is divided into three sections. The first section containing Chapters One and Two provides background to the Tasmanian land legislation. The second section, from Chapters Three to Six, analyses the Waste Lands Acts and their implementation. The third section, Chapter Seven, explores the lives of selectors in one of the designated agricultural areas under the Waste Lands Acts.

*Chapter One: An Unjust and Grievous Monopoly* provides the background to Tasmanian society and to land allocation at self-government. It discusses the various land alienation systems prior to 1856, the type of settlement, economy, and society these produced, and a description of the lives of settlers. It concludes with a discussion on the structure and membership of the first parliament.

*Chapter Two: The Long Depression 1857-75* provides the economic background to the thesis. Tasmania suffered a prolonged economic depression during the

twenty years that followed self-government and there has been no detailed economic history for this period. The Waste Lands Acts were money bills, generating substantial revenue and creating the land fund which provided the security for the issue of debentures, so a clear picture of the changes to the economy is essential in order to understand the debates about the Waste Lands Acts, their implementation, and the range of results they achieved.

Although new Waste Lands Acts were passed in almost every year, the material in Chapters Three to Six is grouped around the major pieces of legislation, passed in 1857, 1863, 1870, and the failed bill of 1882. These chapters share a similar structure. Each examines the land debates within the context of the contemporary economic, social and political issues, and then discusses the provisions of the legislation, any amendments and reasons for these. Each concludes with an analysis of the results of the legislation in terms of its impacts on the economy, on rural productivity, and on the settlement patterns. They conclude with a discussion of how the small farmers lived under the legislation.

*Chapter Three: The Waste Lands, Experiment and Speculation* covers the period from 1857 to 1862. The spirit of the times was optimistic, and the legislation introduced, for the first time in the Australian colonies, provision for selection of acreages by intending small farmers. A significant part of this chapter is given to analysing the land question as it played out in Tasmania, because the political, social, and economic forces which drove the colonial land legislation were

somewhat different from those operating in the other Australian colonies, and remained so during much of the nineteenth century.

*Chapter Four: The Waste Lands, Stagnation* begins with major land reforms in 1863, and covers the worst years of the economic depression up to 1869. New legislation was passed every year in this period except 1866.

*Chapter Five: The Waste Lands, Turning Point* also begins with major attempts in 1870 to reform the land legislation and increase the land revenue. In the middle of the decade, both external and internal forces overtook the stagnating economy, and the land agenda changed.

*Chapter Six: The Waste Lands, The Boom Years* is the only chapter in this section that does not begin with significant new land legislation, but this was not for want of trying in the House of Assembly. This chapter analyses the failure of the major legislation of the period, the *Waste Lands Act 1882* and the *Waste Lands Act 1883*. It also examines the reforms to the franchise that occurred in this decade, because land ownership remained a qualification for the franchise in Tasmania long after the introduction of universal manhood suffrage in New South Wales and Victoria.

*Chapter Seven: Goulds Country: A Case Study on Selection in Tasmania* seeks to understand the conditions under which the selectors lived and worked in a designated agricultural area. Under the Waste Lands Acts, settlement spread out into regional Tasmania. This chapter shows what was involved in creating one of these regional settlements out of the forest lands. It also provides another way of understanding the practical consequences of the Waste Lands Acts.

## Chapter One: An Unjust and Grievous Monopoly: Tasmania 1856

Just eight months after the discovery of gold in Victoria, a group of forty residents across Bass Strait in Van Diemen's Land sent a petition regarding the allocation of land to their Governor, Sir William Denison. They complained that a small section of the population held most of the available pastoral land of the colony, either as freehold or under ten-year leases. The grazing lands included considerable portions of arable land as well, and, under new regulations passed in November 1851, the existing landholders had been able to secure occupation of these without competition. The petitioners wanted instead:

such regulations adopted as will benefit that class—by far the largest in the community—whose only property is their labour, and whose only chance of bettering themselves and their families in a colony like this seems to be by acquiring small portions of land of their own. ...the new regulations go directly to establish an unjust and grievous monopoly.<sup>1</sup>

The signatories included some unlikely allies. Among them were some of the richest men in Van Diemen's Land, retired sea-captain and pastoralist William Kermode of *Mona Vale*, and the Gibsons, David and Thomas, from convict stock.<sup>2</sup> John Mackersey and Adam Turnbull, Presbyterian ministers from the pastoral midlands, also signed.<sup>3</sup> Humbler folk put their names to the petition, including Thomas Salmon, a small landowner and chief police constable from

---

<sup>1</sup> 'Land Regulations: Petition', *VDLLCJ*, 1, paper 60, (1852), p 4; 'Government Notice No 114', *HTG*, 4 November 1851, pp 935-6.

<sup>2</sup> For Kermode, see E J Cameron, 'Kermode, William (1780–1852)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/kermode-william-2303/text2979>, published in hardcopy 1967, accessed online 20 December 2013; For Gibsons, see Helen Scott-Young, 'The Gibson Family', in Alison Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, Tas., 2005), pp 160-1.

<sup>3</sup> Lex Finlay, 'Mackersey, John (1789–1871)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/mackersey-john-2409/text3189>, published in hardcopy 1967, accessed online 20 January 2014.

Oatlands, and John Peace, who signed with his mark.<sup>4</sup> Why did people from such different backgrounds perceive Van Diemen's Land as 'an unjust and grievous monopoly'? The purpose of this chapter is to provide an understanding of Tasmania at self-government, and to examine the nature of land allocation as a background to understanding the development of the later Waste Lands Acts.

This chapter seeks answers to the following questions. Who owned the land and how had they acquired it? At this time, much of mainland Australia was controlled by squatters, occupying vast pastoral estates in contravention of the law, yet still pillars of respectable society. Did this happen in Tasmania? What did the early land regulations achieve? Who were the settlers and how did they live under the land regulations prior to self-government? How far had settlement extended by 1856? How did land ownership relate to wealth and political power? What interests were represented in the new parliament? In order to answer these questions, this chapter will examine the changes in land policy from the first settlement, the people who settled under the various provisions, and how they lived. The chapter will conclude with a picture of land alienation and Tasmanian society at self-government.

---

<sup>4</sup> For Salmon, see K R Von Stieglitz, 'Salmon, Thomas (1780–1847)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/salmon-thomas-2625/text3631>, published in hardcopy 1967, accessed online 20 December 2013; The last name, Peace, was rare in Tasmania. Peace was probably the convict butcher/farm labourer relocated from Norfolk Island in 1844 per the *Duke of Richmond*. See 'John Peace', Con no 55279, CON33/1/52, TAHO.



## The Land

By 1856, around 4.4 million of Tasmania's 16 million acres had been alienated in a series of settlement waves or land rushes. Hartwell attributed the spasmodic nature of settlement up to 1850 to changing imperial conditions and policy and to the changing character of the Australian colonies.<sup>5</sup> Land was available legally at various times by grant, purchase, or lease. The pattern of land rushes associated with British government policy is shown clearly in the summary of land alienation up to 1850, shown below.

Table 1.1: Tasmania: Acreages Alienated at 1850

Years	Grants	Sales	Leases	Totals
Before 1832	1,974,754	101,992	200,000	2,276,746
1832 - 1838	148,938	207,532	200,000	556,470
1838 - 1843	32,783	306,023	200,000	538,806
1843 - 1849	0	24,060	1,500,000	1,524,060
Totals	2,156,475	639,607	1,500,000	4,396,032

Source: Data from R M Hartwell, *The Economic Development of Van Diemen's Land 1820-1850*, (Melbourne, 1954), p 58.

In the early years, land was alienated by free grants and, although these were mostly phased out in the 1830s, they had accounted for half of all land alienated in Van Diemen's Land by 1850. Sales, intended to be the only method for disposal of Crown land after 1832, alienated 639,000 acres, mostly before the economic depression of 1843-9. Pastoral leasehold was steady at 200,000 acres until the

---

<sup>5</sup>R M Hartwell, *The Economic Development of Van Diemen's Land 1820-1850*, (Melbourne, 1954), p 69.

pastoral and occupation licenses of the 1840s allowed a major expansion onto 1.5 million acres.<sup>6</sup>

The haphazard nature of land allocation was partly due to the fact that questions of land policy were not the first consideration of colonial administration when Van Diemen's Land was settled. The third of the Australian colonies to be settled, after Port Jackson (New South Wales) and Norfolk Island, Van Diemen's Land was originally established for strategic purposes to cement the British claim to the southern parts of Australia.<sup>7</sup> Land grants began as a means to promote agriculture in the new settlement.<sup>8</sup> These grants were given to the small numbers of free settlers, the military, and convicts. When the settlement at Norfolk Island was abandoned, from 1806 to 1813, grants were made to the former inhabitants, mostly second fleet convicts whose sentences had expired and their descendants. This free grant system helped establish some of earliest pastoral families of Van Diemen's Land, including those of David Gibson, Richard Dry, and Thomas Field, all emancipists.<sup>9</sup>

---

<sup>6</sup> Hartwell, *Economic Development*, p 58.

<sup>7</sup> (Peter) James Boyce, *Van Diemen's Land*, (Melbourne, 2008), pp 20-44.

<sup>8</sup> Hartwell, *Economic Development*, pp 36-7.

<sup>9</sup> For Gibson, see M Gibson, 'Gibson, David (1778–1858)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/gibson-david-2091/text2629>, published in hardcopy 1966, accessed online 10 November 2013; 'Pleasant Banks', *THRA Papers and Proceedings*, 12, no 1, October 1964, pp 33-35. For Dry, see A D Baker, *The Life and Times of Sir Richard Dry*, (Hobart, 1951), pp 1-110; W V Teniswood, 'Dry, Richard (1771–1843)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/dry-richard-1998/text2437>, published in hardcopy 1966, accessed online 10 November 2013. For Field, see Alison Alexander, *Tasmania's Convicts: How Felons Built a Free Society*, (Crow's Nest, NSW, 2010), pp 183-4.

Free grants also established fortunes for some of the officers. Edward Lord, who arrived with Lieutenant-Colonel David Collins in 1804, received his first grant of 100 acres in 1806. He followed a career as administrator, pastoralist and business man, and in the 1820s was granted what became the large pastoral estate of *Lawrenny*, at Ouse in the Derwent Valley.<sup>10</sup> Anthony Fenn Kemp, a Rum Corps officer from New South Wales, had lost his land grants there as a consequence of his part in the removal of Governor Bligh, but began again in Van Diemen's Land with a grant of 700 acres at Green Ponds (now Kempton) in 1816. He established large pastoral estates and a merchant business, and became a director of the Bank of Van Diemen's Land.<sup>11</sup>

Some free immigrants benefitted financially from the skills or influence of their convict partners. George Armytage, of the impoverished European aristocracy, was eligible for a land grant of 500 acres on his arrival in Van Diemen's Land in 1815, but it was his wife, daughter of the prosperous Calcutta convict Thomas Peters, who supplied the capital. The Armytage family expanded their pastoral operations into the Geelong district and became one of Victoria's prosperous squatting families.<sup>12</sup>

---

<sup>10</sup> Thea Rienits, 'Lord, Edward (1781–1859)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/lord-edward-2370/text3113>, published in hardcopy 1967, accessed online 2 February 2014.

<sup>11</sup> Murray C Kemp, 'Kemp, Anthony Fenn (1773–1868)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/kemp-anthony-fenn-2294/text2961>, published in hardcopy 1967, accessed online 2 February 2014.

<sup>12</sup> P L Brown, 'Armytage, George (1795–1862)', *Australian Dictionary of Biography*, <http://adb.anu.edu.au/biography/armytage-george-1715/text1871>, published in hardcopy 1966, accessed online 29 June 2013.

Subsequent governors continued granting land until the Bigge Reports of 1822-3 recommended the grants to emancipists cease and instead land should be granted to British immigrants in proportion to the amount of capital they introduced into the Colony. The Bigge Report attempted to recreate the class structures of rural Britain in the Australian colonies. It had three major consequences in Tasmania. First, it denied land ownership and the accompanying social mobility to poor immigrants and emancipists. Second, it created Tasmania's 'gentry', many of whom gained land under this scheme.<sup>13</sup> Third, it helped create the culture in which it was acceptable for the well-to-do classes to obtain land under false pretenses.

Two administrative failures were largely responsible for creating this culture. The immigrants' assets were not subject to independent valuation; as Boyce showed, those who lied about their capital never had their land resumed.<sup>14</sup> Furthermore, there was no consistent attempt by the British government or its representatives in Van Diemen's Land to ensure conditions related to improvement of the grants and the payment of the annual quit-rent were complied with. Robson found that probably half the land granted up to 1830 had been obtained under false pretenses.<sup>15</sup> In a detailed study of quit-rents, Petrow found that these became symbolic of imperial control of land. The need for revenue drove attempts by successive governors to collect the rents, but they were defeated by the colonists'

---

<sup>13</sup> Henry Reynolds, 'Men of Substance and Deservedly Good Repute - Tasmanian Gentry 1856-1875', *Australian Journal of Politics and History*, 15, no 3, (1969), pp 31-3.

<sup>14</sup> (Peter) James Boyce, 'An Environmental History of British Settlement in Van Diemen's Land: The Making of a Distinct People, 1798-1831', PhD thesis, University of Tasmania, 2006, pp 285-6.

<sup>15</sup> Lloyd Robson, *A History of Tasmania Vol I: Van Diemen's Land from the Earliest Times to 1855*, (Melbourne, 1983), pp 192-4, 199.

self-interest and the rising movement for democracy, which demanded there be no tax without representation. Ultimately, the Van Diemonian colonists proved to be politically stronger than the governors by using their power in juries to defeat any action brought by the Crown. Under Sir William Denison, the last governor before self-government, attempts to collect quit-rents were virtually abandoned, and, shortly after self-government, the new parliament passed the *Quit Rents Remission Bill 1863* which abolished the rents and government claims to arrears.<sup>16</sup>

In spite of these failures, land alienation under the recommendations of the Bigge Committee resulted in the establishment of the pastoral industry and the creation of the Van Diemen's Land gentry. During the 1820s, settlement extended beyond the small grants clustered around Hobart and Launceston, along the river valleys and through the midlands lying between the two towns. New immigrants, men like Josiah Spode, grandson of the creator of the Spode pottery industry, and William Dean, farmer from Middlesex, settled along the banks of the Derwent, upriver from New Norfolk. Dean and his wife arrived in 1824, but did not settle on his original grant, located in 1,000 acres of rough country on the South Esk River. Instead he purchased an established estate, *Belmont*. Josiah Spode built his house on his grant at neighbouring *Shooter's Hill* in 1828. The Deans had a large family, and after the death of his wife, the then middle-aged William married the much younger Mary, daughter of Josiah Spode. The Deans stayed on in the

---

<sup>16</sup> Stefan Petrow, 'Discontent and Habits of Evasion: The Collection of Quit Rents in Van Diemen's Land, 1825-1863', *Australian Historical Studies*, 32, no 117, (October 2001), pp 240-56.

district, and moved into the house at *Shooter's Hill* after the Spode family returned to England to live.<sup>17</sup>

It was during this period that the first estates were established on the east coast. In 1821, George Meredith, an English naval officer turned farm owner, chartered the *Emerald* for a journey to Van Diemen's Land in partnership with Hertfordshire farmer, Joseph Archer. His story demonstrates the lives of early settlers, and so makes a useful comparison for the settlement that occurred under the Waste Lands Acts. It also provides an example of the behaviour Weaver described as the 'rule-breaking conduct by land-seeking individuals' that helped drive the extraction of wealth from the frontiers of British colonies.<sup>18</sup> This thesis will later show that rule-breaking related to land acquisition was to become an accepted code of behaviour in Van Diemen's Land and later Tasmania.

Meredith brought with him a large party of settlers and his family. He also brought his farm manager, Adam Amos, his brother John Amos and their families. Meredith negotiated land grants from Lieutenant-Governor Sorell for all the adult males in the group. John Amos had insufficient capital to be eligible for a land grant, and Meredith undertook to provide false information in return for a percentage of the profits John Amos made. Immediately after a preliminary

---

<sup>17</sup> Audrey Holiday and John Trigg, *From Black Snake to Bronte: Heritage Buildings of the Derwent Valley in Tasmania*, (Taroona, Tas., 1988), pp 90-1, 96-7. For Spode, see F C Green, 'Spode, Josiah (1790–1858)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/spode-josiah-2686/text3733>, published in hardcopy 1967, accessed online 2 February 2014; L S Bethell, *The Valley of the Derwent*, (Hobart, ?1861). For Dean, see 'The Late Mr William Dean', *Mercury*, 19 September 1879, p 3.

<sup>18</sup> John Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900*, (Montreal, 2003), pp 4-5.

journey to the region, George Meredith and Adam Amos choose neighbouring land in what is now the Swanport (then Waterloo Point or Swan Port) district. Meredith then applied, successfully, to have the area of the grants doubled, on the grounds that his was a pioneering achievement deserving of recognition.<sup>19</sup>

Meredith pushed the legal limits further and demonstrated that bullying could be a highly successful strategy for land acquisition. Another settler, William Talbot from *Castle Malahide*, County Dublin, with a grant of 2,000 acres, decided to settle at Swan Port. Talbot's men, with flocks of sheep and cattle, arrived first and constructed a hut. Meredith arrived on his grant two months later and embarked on a war to drive Talbot from the land he wanted. Not content to wage only a diplomatic war by writing to Lieutenant Governor Sorell and his friends in England who might lobby the Colonial Office on his behalf, he had his servants break down Talbot's fences and set the dogs on his merino sheep. By 1825, Meredith had succeeded in driving Talbot from the land at Swan Port, but the Talbot grant was replaced with what turned out to be better land in the north-east around the South Esk and Fingal Rivers, the site of the present *Malahide Estate*.<sup>20</sup>

A constant stream of new arrivals to the east coast followed. In 1826, William Lyne, from an impoverished Gloucestershire family, with his family, took up land on his grant at *Apsley*, near the grant of Adam Amos. Arriving on the same ship as

---

<sup>19</sup> Lois Nyman, *The East Coasters*, (Launceston, Tas., 1990), pp 1-12, 43.

<sup>20</sup> Nyman, *The East Coasters*, pp 17-25, 43-7.

the Lynes, John Allen and his married brother, Richard, took up smaller grants nearby.<sup>21</sup>

It is from these families that we have a record of the lives of the early settlers. The first journeys from Hobart were made by the men in whale boats, which they had to drag on rollers across the neck at Forestier's Peninsula, near the present site of Dunally. On their first journeys, settlers lived off the land. William Lyne's group ate sharks and wallabies.<sup>22</sup> George Meredith's party lived off kangaroos, ducks and pigeons which Meredith shot.<sup>23</sup>

Settlers built temporary dwellings for their families. The Meredith and Amos families constructed timber framed buildings with turf or rammed earth walls and thatched or bark roofs.<sup>24</sup> The Lyne family had a sod hut in which to cook and dine, but, fearful of attacks by bushrangers and aboriginals, William Lyne, who brought his own builders with him, had a log cabin constructed, with slots in the walls through which a gun might be fired.<sup>25</sup>

The settlers struggled to established crops. Wallabies ate the grass and grain crops, and the aborigines stole the potatoes the settlers planted. Early in 1823, Hannah Amos, the wife of John, gave birth to twins, but there was no bread and nothing at weaning time for the babies. Their neighbour, Mary Meredith, provided

---

<sup>21</sup> Nyman, *The East Coasters*, pp 58-67.

<sup>22</sup> Reminiscences John Lyne, NS854/1/1, Box 806/1, unpagged, TAHO.

<sup>23</sup> John Meredith Notes, in 'Typed Manuscript Material, Notes and Correspondence relating to the history of the Meredith family', Item NS123/1/157, Box 123/152, various pagings, TAHO; Nyman, *The East Coasters*, p 13.

<sup>24</sup> John Meredith Notes, various pagings.

<sup>25</sup> Reminiscences John Lyne, NS854/1/1, Box 806/1, unpagged, TAHO.



a supply of ships' biscuits until wheat was available. Soon after, John Amos constructed a gristing mill on his farm, which supplied the district and visiting schooners with meal for many years.<sup>26</sup> William Lyne settled further inland on better soil, and, with the help of convict labour, was able to clear six acres per year. The family made their first wheat flour just when they were out of purchased wheat, using a steel mill they had brought with them from London. Within three years they could keep themselves, and passing travellers, in bread, meat and vegetables.<sup>27</sup>

In settling right on the coast, George Meredith chose land that was less fertile than that further inland. Its proximity to water meant contact with the main settlement at Hobart was easier, and it also allowed Meredith to diversify his enterprise by developing a whaling fleet. His initial interest, though, had been the marshlands associated with what is now Moulting Lagoon.<sup>28</sup> Fresh from England, where the draining of the Fens had resulted in the establishment of prosperous agricultural estates, Meredith believed the marsh lands wanted only draining to be made productive.<sup>29</sup> Immigrants Richard and John Allen also intended to apply for grants near the lagoon with the intention of assisting to drain it, but changed their minds and settled closer to William Lyne and Adam Amos.<sup>30</sup>

---

<sup>26</sup> Adam Amos, Letter to Pringle, Scotland, 1826, Amos Papers, NS323/3, TAHO; Nyman, *The East Coasters*, p 31.

<sup>27</sup> Reminiscences John Lyne, NS854/1/1, Box 806/1, TAHO.

<sup>28</sup> This lagoon supports a large number of waterbirds at key stages in their life cycle, hence it is now one of ten wetlands of international significance listed in Tasmania. Moulting Lagoon Game Reserve, Parks and Wildlife Service, Department of Primary Industries, Parks, Water and Environment (hereafter DPIPWE), Tasmania, <http://www.parks.tas.gov.au/index.aspx?base=5624>, accessed 5 March 2014.

<sup>29</sup> Nyman, *The East Coasters*, pp 13-5, 42-3.

<sup>30</sup> Nyman cites a personal communication with a descendant, Jack Allen. Nyman, *The East Coasters*, pp 61-2.

The belief that good farm land could be obtained simply by draining swamps became a recurring theme throughout the history of the Waste Lands Acts, and because this is so much at odds with the modern experience of Australian farming, some attention is given here to understanding the reasons for its continuance in Tasmania in the nineteenth century. The British settlers were familiar with the practice as it was used in the Fens, and in the Netherlands. The settlers from Norfolk Island, who were relocated to Van Diemen's Land between 1808 and 1814, had seen it work on Norfolk Island. Soon after the settlement was established there in 1788, work commenced, under the direction of Lieutenant Philip Gidley King, in draining the coastal lagoon that lay behind the beach where the settlers first landed. A channel was dug to drain the lagoon and its feeder stream into what is now Emily Bay (originally named Sydney Bay). The earth removed was used to raise an embankment on the foreshore to keep out sea water. Later, further drainage channels were constructed at right angles to the main stream, draining the whole of what is now Arthurs Vale. The land was soon productive. When the *Sirius* was wrecked there in March 1790, the settlement held 503 people who faced starvation with the loss of their ship. The three non-commissioned officers left with the small settlement established a garden at Arthurs Vale and, by the time supplies arrived some five months later, midshipman George Raper recorded that their garden was producing 'vast quantities' of potatoes, French beans, cabbages, lettuces and Indian corn.<sup>31</sup>

---

<sup>31</sup> George Raper, Observations by Lieut. George Raper, R.N., 1787-1794, [manuscript], at <http://www.nla.gov.au/apps/cdview/?pi=nla.ms-ms9433-1>, accessed 5 March 2014.

An examination of the Arthurs Vale site reveals how the drainage system worked. George Raper's drawing of the farmland at Arthurs Vale is shown here; see Image 1.1. This view looks across the cleared valley and shows the narrow fields running across the line of the stream.

Image 1.1: West Side of Arthur's Vale, ca 1790



Source: West Side of Arthur's Vale, ca 1790, attributed to George Raper, Papers of Sir Joseph Banks, State Library New South Wales, <http://www2.sl.nsw.gov.au/images/banks/digitised/110111.jpg>, accessed 5 March 2014.

A plan of the whole valley makes the land allocation clearer. Map 1.1 shows how the small lots allotted in 1794 were aligned across the stream. Streams are marked with a dotted line, and the Arthurs Vale stream runs from west to east across the map, into Sydney Bay (now Emily Bay). It is not clear from the map whether the cut draining the lagoon into the sea at Emily Bay had been completed at this stage.

It is located in the south, to the east of the small flag, on the site now known as Flagstaff Hill.

Map 1.1: Extract from Plan of Settlers' Lots and Ground Cultivated for the Publick on Norfolk Island 1794



Source: Graham Wilson and Martin Davies, *Norfolk Island Archaeological Report on Kingston—Arthur's Vale Area: Research and Survey Vol I*, (Canberra, 1980), unpagged.

The original drainage system at Arthurs Vale was reworked during successive settlements and the outlet to the sea maintained. Today, there is a dam at the headwaters of the stream; all that is left of the original lagoon is a chain of reed beds, and cattle graze beside the channel first cut by settlers late in the eighteenth century. Image 1.2 shows Arthurs Vale from the remnant reedy marsh, looking



back up the valley. Raper's west side of the vale is on the left hand side of the image. Several faint but distinctly greener strips of grass running across the line of the stream may indicate places where the earlier drainage channels were cut.

Image 1.2: Arthurs Vale, Norfolk Island 2014



Source: B Meikle, March 2014.

Boyce found that, following settlement in 1835, the wetlands of Melbourne were left untouched in the first twenty years after settlement because the emphasis there was on sheep rather than agriculture.<sup>32</sup> Around the same time in Van Diemen's Land, settlers spent large amounts of money and effort in the belief that drainage of the swamps would produce profitable farms. In the 1820s, on his grant at *Marsh Farm* on the New Norfolk road out of Hobart, Governor Arthur had an

---

<sup>32</sup> James Boyce, *1835: The Founding of Melbourne and the Conquest of Australia*, (Collingwood, Vic., 2011), pp 4-5.

embankment built to exclude the waters of the Derwent River, then backfilled the area with dray loads of soil. He installed a drainage system and a water gate which allowed him to irrigate in the dry season (summer).<sup>33</sup> He spent a total of £1,000 in improvements on the 1,000 acre farm, which he had purchased for £435, but these enabled him to make a handsome profit. He sold *Marsh Farm* in 1836 for £4,500.<sup>34</sup>

George Meredith abandoned his dream of draining Moulting Lagoon, but continued to expand his landholdings through negotiation and bullying.<sup>35</sup> His English-born sons, however, did not adapt to the life of the Van Diemonian pastoralist. George disappeared, murdered in South Australia.<sup>36</sup> Charles married his cousin, author Louisa Ann Twamley, on a visit to England, and after several attempts at farming and employment as police magistrate at Port Sorell in northern Van Diemen's Land, finally settled at Swanport and pursued a career in Tasmanian politics after self-government.<sup>37</sup> It was left to Tasmanian-born John Meredith to purchase and farm the estates.<sup>38</sup>

---

<sup>33</sup> K R von Stieglitz, *A History of New Norfolk and the Derwent Valley*, (Launceston, Tas., 1962), pp 41-2.

<sup>34</sup> A G L Shaw, *Sir George Arthur, Bart 1784-1854*, (Melbourne, 1980), p 152.

<sup>35</sup> Nyman, *The East Coasters*, p 32.

<sup>36</sup> Nyman, *The East Coasters*, p 177-8.

<sup>37</sup> Nyman, *The East Coasters*, pp 191-5, Sally O'Neill, 'Meredith, Charles (1811-1880)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/meredith-charles-4187/text6731>, published in hardcopy 1974, accessed online 10 January 2014; Charles served as Treasurer in the ministries of T G Gregson (1857) and James Whyte (1863-6), and as Minister for Lands and Works in the ministry of F M Innes (1872-3), 'Ministries', Votes and Proceedings of Parliament, *JHA*, XXXVII, (1880), unpagged.

<sup>38</sup> David Hodgson, 'Meredith, George (1777-1856)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/meredith-george-2449/text3269>, published in hardcopy 1967, accessed online 10 January 2014.

The first in a series of regulations dealing with land sales in the Australian colonies was introduced in 1823, when land commissioners were appointed to make valuations of all the disposable land, with a view to determining an average price.<sup>39</sup> These regulations, according to Coghlan, appeared to have been intended to facilitate the formation of large estates in the hands of people who had sufficient capital to work them.<sup>40</sup> Regulations changed again in August 1828, when sale was to be by auction with bidders requiring the Governor's permission to place bids.<sup>41</sup> In spite of the frequent changes to policy, the sales regulations of the twenties were mostly ineffective in terms of generating revenue, establishing a fair price for the land, or promoting cultivation.<sup>42</sup>

By enabling the formation of large estates, the land sales regulations helped consolidate the status of the Van Diemen's Land gentry, all of whom owed their position to the wealth of the pastoral industry. Reynolds observed that they had come from the urban and rural middle classes of England, Scotland, and Ireland and were retired officers, professional men, and yeoman farmers. Most possessed modest capital, but received land grants between 1820 and 1831.<sup>43</sup> Hartwell also noted that Tasmanian trade and finance were controlled by small group of wealthy capitalists connected with pastoralists, with town businessmen owning land and pastoralists investing in trading houses.<sup>44</sup> Burroughs pointed out that government

---

<sup>39</sup> Anne McKay, (ed), *Journals of the Land Commissioners for Van Diemen's Land, 1826-28*, (Hobart, 1962).

<sup>40</sup> T A Coghlan, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901, Vol 1*, (Melbourne, 1969, first published 1918), p 233.

<sup>41</sup> Coghlan, *Labour and Industry in Australia Vol 1*, pp 229-33.

<sup>42</sup> Coghlan, *Labour and Industry in Australia Vol 1*, pp 232-4.

<sup>43</sup> Reynolds, 'Men of Substance', p 61.

<sup>44</sup> Hartwell, *Economic Development*, p 164.

policy from the 1830s favoured larger and wealthier landowners who gradually moved to pastoralism, leaving the less profitable agriculture to the small holder.<sup>45</sup>

Typical examples of the gentry were pastoralists William Dean, Josiah Spode, George Meredith and William Lyne discussed above. The class also included professional men, such as John Ward Gleadow, Launceston lawyer, importer, and owner of a pastoral estate for which he employed a manager.<sup>46</sup> It included traders, such as Askin Morrison, a merchant with whaling vessels and large pastoral holdings which were worked by tenant farmers.<sup>47</sup>

The pastoralist-merchant class contained a small number of other members who generally did not aspire to own large estates. They shared a social reform agenda. From the 1820s, a group of merchants emerged in Tasmanian society centered on Hobart trader and wool merchant, Henry Hopkins. Credited with initiating the export of Van Diemen's Land wool to England, Hopkins's goal was to build a society where honest labourers could achieve independence by hard work. With son-in-law and Congregational minister, George Clarke, Hopkins and his family established the Congregational Church which was for many years very influential in Tasmania, and further afield. By the 1840s, Hopkins had extensive business and family networks in Victoria, where two of his sons became part of the

---

<sup>45</sup> P Burroughs, *Britain and Australia 1831-1855: A Study in Imperial Relations and Crown Lands Administration*, (Oxford, 1967), pp 110-2.

<sup>46</sup> G H Crawford, 'Gleadow, John Ward (1801-1881)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/gleadow-john-ward-2100/text2649>, published in hardcopy 1966, accessed online 10 April 2010.

<sup>47</sup> P Bolger, 'Morrison, Askin (1800 - 1876)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/morrison-askin-4255/text6877>, published in hardcopy 1974, accessed online 30 May 2010; 'District of Oatlands', *Mercury*, 10 July 1858, p 5.



Victorian squattocracy.<sup>48</sup> Although the group lacked political influence in the first twenty years following self-government, it produced two premiers, Alfred Kennerley and William Robert Giblin, whose work is discussed in Chapters Four and Five.

The land regulations of the twenties, together with the conditions under which the convict system was implemented, formed the other main class in Tasmanian society, the working class. The largest group by far, workers were mostly convicts, emancipists, and their descendants. Once the Bigge Commission recommendations were implemented, it became almost impossible for members of this class to replicate the success and social mobility of its predecessors such as David Gibson, Richard Dry, and Thomas Field. The workers were controlled by the gentry under the convict assignment system in which convicts were allocated as servants to the gentry.

Not a lot changed with the end of transportation. Nic Haygarth reported that 'Abolition [of transportation] and self-government did not deliver a happy Tasmania from a grim Van Diemen's Land'.<sup>49</sup> The reason is not far to seek. For many years after self-government, Tasmanian society was characterized by the high proportion of emancipists.<sup>50</sup> They constituted the majority of the workforce and were employed under master and servant legislation described as harsh by

---

<sup>48</sup> Alison Alexander, 'Henry Hopkins and George Clarke: Two Tasmanian Non-Conformists', MA thesis, University of Tasmania, 1983, pp v-vi, 175, 191-2.

<sup>49</sup> Nic Haygarth, *Baron Bischoff: Philosopher Smith and the Birth of Tasmanian Mining*, (Perth, Tas., 2004), p 48.

<sup>50</sup> Alexander, *Tasmania's Convicts*, p 207; Henry Reynolds, 'The Island Colony Tasmania: Society and Politics 1880-1900', MA thesis, University of Tasmania, 1963, p 3; Boyce, 'An Environmental History', p 3.

many historians. Reynolds found that most emancipists and their children remained poor wage earners, employed under the oppressive *Masters and Servants Act*, which remained in force until the 1880s.<sup>51</sup> The practical operation of this act in Tasmania has been more fully explored by Breen, who argued that by imposing criminal penalties on servants, Tasmania was out of step with English law. Changes proposed in the 1850s to make the service agreement a civil contract were strongly opposed in the pastoral districts of northern Tasmania.<sup>52</sup>

While it is true that this act was harsher than comparable legislation in Britain in the nineteenth century, the same could be said of similar legislation in the other Australian colonies.<sup>53</sup> In 1844, a national campaign by trade unions and Chartists in England and Scotland led to the withdrawal of a new master and servants bill which proposed, among other things, to give more power to magistrates and to widen the categories of workers to be brought under its control.<sup>54</sup> No similar campaign took place in Australia. Quinlan attributed the persistence of this harsher legislation in Australia to four factors, all of which were evident in Tasmania. These included the domination of legislatures by the mercantile and pastoral interests for most of the nineteenth century, the penal context of Australian settlement, the military background of many early magistrates and

---

<sup>51</sup> Tasmania. 19 Vict no 28; Reynolds, 'The Island Colony', pp 4-7.

<sup>52</sup> Shayne Breen, *Contested Places: Tasmania's Northern Districts from Ancient Times to 1900*, (Hobart, 2001), pp 91-114.

<sup>53</sup> Michael Quinlan, 'Australia, 1788-1902: A Workingman's Paradise?', in Douglas Hay and Paul Craven, (eds), *Masters, Servants, and Magistrates in Britain and the Empire, 1562-1955*, (London, 2004), pp 219-250.

<sup>54</sup> Christopher Frank, 'Britain: The Defeat of the 1844 *Master and Servants Bill*', in Douglas Hay and Paul Craven, (eds), *Masters, Servants, and Magistrates in Britain and the Empire, 1562-1955*, (London, 2004), pp 402-421.

officials, and the 'stubborn adherence' to social norms which fostered the expectation of worker deference.<sup>55</sup>

Quinlan found that Tasmanian legislation was somewhat harsher in its provisions controlling worker mobility and the penalties imposed on persons who assisted workers to leave employment. He also found evidence of harsher controls applied to indentured immigrants who were required to stay in Tasmania for a fixed number of years and to workers by the introduction of compulsory discharge certificates. In addition, magistrates' powers were strengthened by allowing cases to be heard by a single, part-time magistrate.<sup>56</sup> The Tasmanian gentry were determined not to lose control of their workforce.

While most of the land alienated during the 1820s was disposed of under the system of giving grants to immigrants in proportion to the amount of capital they introduced, there were some other grants. Small grants, mostly bushranger rewards, were given as part of the reward system by which ordinary Van Diemonians were induced to uphold the law and protect the property rights of the elite. In 1825-6 there were 264 small grants, more than twice the number of large grants in the same period.<sup>57</sup>

One of the recipients of several large grants was the Van Diemen's Land Company. The company was formed to produce fine wool for the British textile industry, but owing to the unwillingness of Governor Arthur to have the company

---

<sup>55</sup> Quinlan, 'A Workingman's Paradise', p 224.

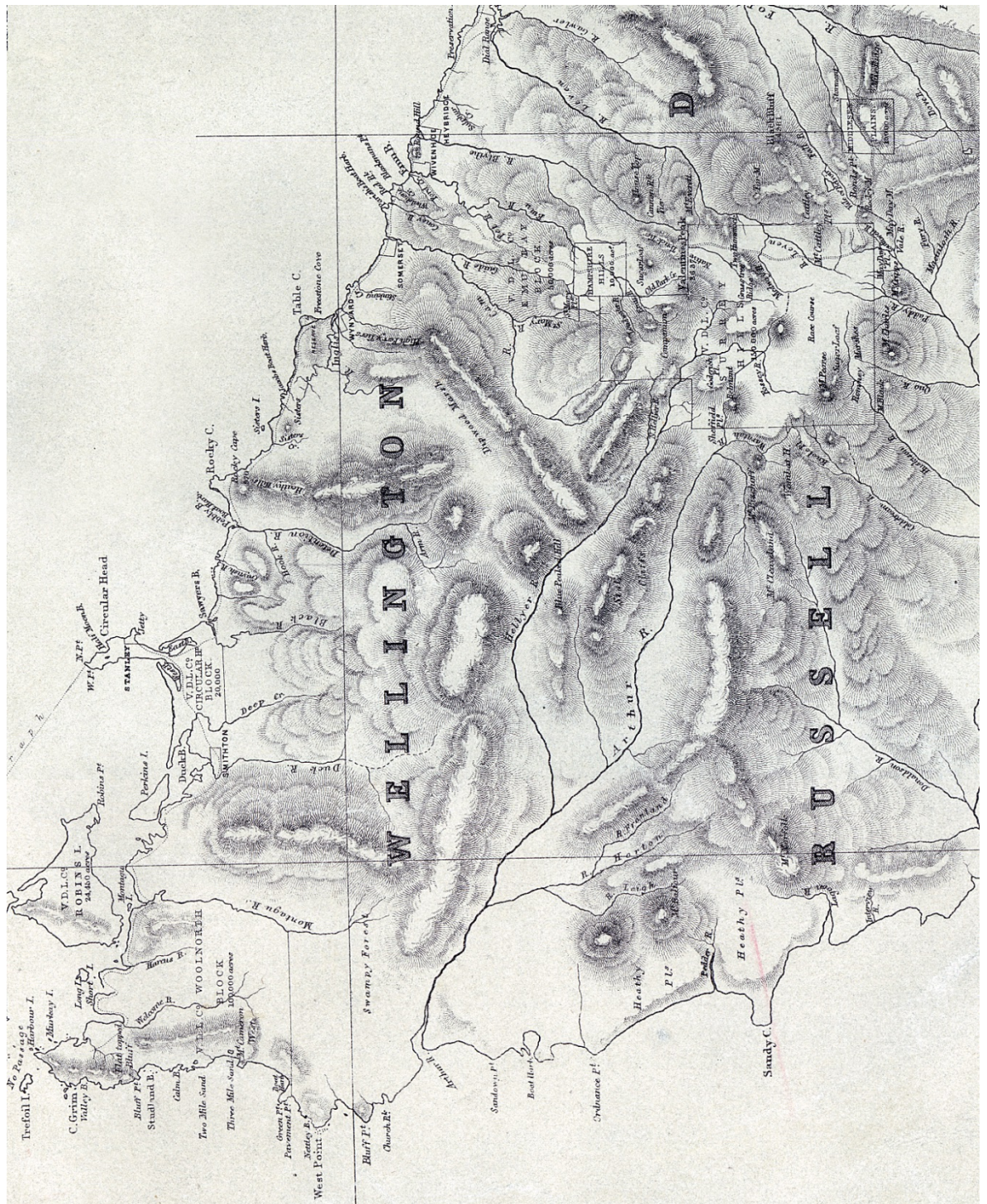
<sup>56</sup> Quinlan, 'A Workingman's Paradise', pp 226,230-1, 235, 237.

<sup>57</sup> Boyce, *Van Diemen's Land*, p 147.

located near penal activities, its 350,000 acres were located in several blocks across north-west Tasmania. This land was totally unsuited to the stated goal of the Company. There were three blocks, the Woolnorth lot, which included Robins Island, the Circular Head lot, and the Emu Bay lot which ran from the Surrey Hills and Hampshire Hills to Emu Bay. These are shown in Map 1.2.



Map 1.2: County of Wellington 1859



Source: Extract from 'Tasmania by James Sprent', Reproduced with the permission of the Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania.

The company began its operations in 1826, and a detailed account of establishment can be found in the works of Pink, and of Roberts.<sup>58</sup> MacFarlane showed that the operations of the company cost the lives of the indigenous inhabitants of the region.<sup>59</sup> After a slow start, the company turned to tenant farming instead of wool production, but tenants struggled in the heavily timbered, wet and cold north-west.<sup>60</sup> The company created the first two company towns in Tasmania, Circular Head and Emu Bay (now Burnie). Burnie was originally intended as the port for the company, but, until the discovery of tin in the 1870s at nearby Mount Bischoff, it was little more than the outlet for the Hampshire Hills and Surrey Hills blocks.<sup>61</sup>

The Company went on to become one of the colony's largest landholders.<sup>62</sup> It still exists, and is still foreign-owned. It now operates dairying, wind farms and tourist operations on the land granted to it in the 1820s.<sup>63</sup>

Land grants and sales together resulted in the rapid alienation of the most accessible land in Van Diemen's Land. By the end of the 1820s, a shortage of good land led to a decline in the rate of immigration. In 1828 when the Horse Guards issued regulations to attract new settlers, only inhospitable country was

---

<sup>58</sup> Kerry Pink, *And Wealth for Toil: A History of North-West and Western Tasmania 1825-1900*, (Burnie, Tas., 1990), pp 35-68; Roberts, *History of Australian Land Settlement*, pp 62-9.

<sup>59</sup> I McFarlane, *Beyond Awakening the Aboriginal Tribes of North-West Tasmania: A History*, (Launceston, 2008), pp 65-128; Roberts, *History of Australian Land Settlement*, pp 62-9.

<sup>60</sup> H J W Stokes, 'The Settlement and Development of the Van Diemen's Land Company's Grants in North-Western Van Diemen's Land, 1824-1860', BA Hons thesis, University of Tasmania, 1964.

<sup>61</sup> Owen Reid, *History of the North West*, (Hobart, Tas., 1976,) pp 29-36.

<sup>62</sup> Reynolds, 'Men of Substance', p 63.

<sup>63</sup> 'Van Diemen's Land Company', <http://www.vdlfarms.com.au/>, accessed 30 June 2013.

left.<sup>64</sup> By 1832 in Van Diemen's Land almost two million acres had been granted away; a little over 100,000 acres had been sold, while 200,000 acres were leased.<sup>65</sup>

The Ripon Regulations of 1831 were formulated from the ideas of colonization promulgated by Edward Gibbon Wakefield. Under these, grants, excepting those already promised, were to cease, and land was to be sold at what was termed a sufficient price, to allow colonies to introduce labour and employ it on public works. Wakefield specified that land was to be sold for cash to the highest bidder at auction, in order to check the ease with which it had formerly been acquired.<sup>66</sup> Like Bigge's recommendations, these also excluded the small man.

In New South Wales, the policy was implemented with easy terms for purchase, but in Van Diemen's Land Governor Arthur opposed the new rules and promised grants before the rules were implemented. As a result, more land was granted than sold in the first decade of operation of land sales in Van Diemen's Land.<sup>67</sup> The small landholder was again excluded by this process.

Historians have criticized Governor Arthur's granting of half a million acres. Coghlan considered it a 'gross abuse of power'.<sup>68</sup> Roberts believed this contributed to the long depression Tasmania suffered after the granting of self-

---

<sup>64</sup> Roberts, *History of Australian Land Settlement*, pp 43-9.

<sup>65</sup> Hartwell, *Economic Development*, p 58.

<sup>66</sup> Coghlan, *Labour and Industry in Australia Vol 1*, pp 235-6.

<sup>67</sup> Roberts, *History of Australian Land Settlement*, pp 103-5.

<sup>68</sup> Coghlan, *Labour and Industry in Australia Vol 1*, p 238.



government.<sup>69</sup> Hartwell thought it stalled land sales for the rest of the decade.<sup>70</sup> However, another interpretation was offered by A G L Shaw, who argued that of Tasmania's approximately 17 million acres, only about one tenth was suitable for agriculture, and the total amount granted prior to 1831 (2,275,000 acres) had already exceeded this percentage.<sup>71</sup> Shaw later pointed out that, although Arthur had opposed the sale of land on the grounds that it would slow the progress of farming in the colony, in fact it did nothing of the kind. Both immigration of small farmers looking for land and agricultural and pastoral output increased in the immediate aftermath of the introduction of land sales.<sup>72</sup>

In addition to grants and sales, land was also leased for pastoral purposes. The principle of leasing under tickets of occupation, which allowed approved persons to use Crown land without transferring title, was an expedient adopted by Governor Macquarie in response to the pastoralists' needs for more extensive grazing. Coghlan argued that this established the principle that conditions applicable to ordinary settlement did not apply to large-scale grazing.<sup>73</sup>

In Van Diemen's Land, these tickets were held by both large and small landowners in the years prior to 1820. Many people, emancipists and convicts included, ran sheep without the need to own land, although the small operator probably struggled to make a profit. Boyce argued that as early as 1820, both

---

<sup>69</sup> Roberts, *History of Australian Land Settlement*, p 291.

<sup>70</sup> Hartwell, *Economic Development*, p 35.

<sup>71</sup> A G L Shaw, 'The Eldershaw Memorial Lecture 1969 a Colonial Ruler in Two Hemispheres: Sir George Arthur in Van Diemen's Land and Canada,' *THRA Papers and Proceedings*, 17, no 3, (1969), pp 80-102.

<sup>72</sup> Shaw, *Sir George Arthur*, pp 138-42.

<sup>73</sup> Coghlan, *Labour and Industry*, Vol 1, p 242.



profits and access to markets were controlled by a monopoly of merchants, thus shutting ordinary persons out of the markets and opportunities to gain wealth. While they could not make money, they could still live off the land, and they accessed free grazing, meat and skins from possum and kangaroo, timber, wattle bark and the products of the fisheries.<sup>74</sup> Later chapters will show how this way of life persisted, with some modifications, under the Waste Lands Acts.

During the 1840s, changes in Imperial policies related to the convict system and to land alienation had major impacts on Van Diemen's Land. Transportation to New South Wales ceased, and thereafter all convicts went to Van Diemen's Land. Convicts were no longer assigned on arrival to work as servants for the gentry and on the estates; instead, male convicts (the majority) worked on public works projects in probation gangs. After working in an approved manner for several years, they became eligible for tickets-of-leave, which entitled them to seek paid employment. As former assigned servants gained their freedom, the pastoral estates lost their free convict labour, and the labour market in Van Diemen's Land was flooded with probation pass holders and ticket-of-leave men.<sup>75</sup> As a result of these changes, Van Diemen's Land operated under land regulations different from those of New South Wales and Victoria from the middle of the decade.

In New South Wales and Victoria the land regulations of 1843 and 1847 provided pastoralists with the opportunity to lease grazing land under a system of yearly

---

<sup>74</sup> Boyce, *Van Diemen's Land*, pp 68-72.

<sup>75</sup> Lloyd Robson, *A History of Tasmania: Volume I*, pp 386-9, 413-8.

‘licenses of occupation’.<sup>76</sup> In Van Diemen’s Land, an act of 1845 allowed the governor of Van Diemen’s Land more freedom in disposing of land, and enabled him to use the convict probation gangs to clear and improve Crown lands in preparation for sale. It also allowed him to lease small areas of land for other than pastoral purposes. The act increased the minimum price for land at auction. Under the Ripon Regulations, land had sold for five shillings per acre. This increased to twelve shillings in 1840, and in 1845, to £1 per acre.<sup>77</sup> The price increase, combined with the economic depression, led to the falling off in sales in the 1840s shown previously in Table 1.1.

In New South Wales and Victoria new regulations came into effect with the 1847 Orders in Council. These were intended to define the boundaries of the pastoral leases and allow the colonial governments to reserve lands for townships and agriculture, but the colonies were permitted to make their own regulations for implementing these. The result, as Coghlan observed, was that squatters were treated quite differently in New South Wales and Victoria. Squatters in both colonies opposed small farming and the development of agriculture, but in New South Wales the squatters were able to delay the implementation of the Orders and ensure there was little land left for sale to the ordinary man. In Victoria, the government set aside extensive reserves and gradually brought these onto the

---

<sup>76</sup> Roberts, *History of Australian Land Settlement*, p 292.

<sup>77</sup> Coghlan, *Labour and Industry*, Vol 1, pp 401-2.

market for small farmers. As a result, from 1851 to 1861, squatters only purchased eight per cent of the Victorian land offered for sale.<sup>78</sup>

The regulations for Van Diemen's Land were drawn up in 1847 by pastoralist William Race Allison.<sup>79</sup> Allison sat intermittently on the nominated Legislative Council between 1846 and 1850 and, after self-government, was elected to the House of Assembly.<sup>80</sup> Not surprisingly, these regulations favoured the pastoral interest. New regulations regarding land sales were issued in 1848, and in July 1848 the various regulations were combined.<sup>81</sup>

Under these regulations, cronyism and muddle prevailed. The process for selling land was inefficient, tended to encourage collusion among bidders, and disadvantaged the small man. For country lots (up to 640 acres), the purchaser had first to find the land for himself and then send a written description with the survey fee to the Survey Department, which surveyed the land and put it up for auction with an upset price of £1 per acre.<sup>82</sup> Intending purchasers risked losing the survey fee and the land, unless they could reduce the competition beforehand. The

---

<sup>78</sup> T A Coghlan, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901, Vol II*, (Melbourne, 1969, first published 1918), pp 644-9, 655-661.

<sup>79</sup> Letter to W R Allison, 20 January 1857, Surveyor-General's General Letterbooks, LSD16/1/14, p 133, TAHO; 'Government Notice No 69,' *HTG*, 15 June 1847, pp 527-8.

<sup>80</sup> John Reynolds, 'Allison, William Race (1812-1865)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/allison-william-race-1698/text1835>, published in hardcopy 1966, accessed online 21 October 2013.

<sup>81</sup> 'Government Notice No 52, *HTG*, 18 April 1848, pp 409-10; '1848 Regulations, Government Notice No 66', *Votes and Proceedings, VDLLC*, 1, paper 38, (1848), pp 2-3.

<sup>82</sup> '1848 Regulations, Government Notice No 66', *Votes and Proceedings, VDLLC*, 1, paper 38, (1848), pp 2-3.

insistence on cash sales (full payment within 30 days) disadvantaged the small purchaser.

The leasing regulations had a major impact on the pastoral industry. In comparison with their counterparts in Victoria, pastoralists in Tasmania received a very favourable deal. They had ten-year leases renewable annually, on lots ranging from 500 to 5,000 acres. There was no limit on how many such lots a landowner could hold.<sup>83</sup>

The regulations lacked vision for the future. They favoured existing landholders and depressed the chance of start-ups in the industry by requiring applicants to submit written applications to the Surveyor-General. Those who were not already known to the Survey Department had to provide a character reference from the police magistrate of the district where they resided. The regulations permitted the government to resume land for public purposes at any time on three months' notice, but no provision was made to reserve land against future need.<sup>84</sup>

In spite of the better tenure on the Van Diemen's Land leases, pastoralists were at a disadvantage compared to their mainland counterparts in two ways. In New South Wales and Victoria, the 1847 Orders in Council permitted the squatters to select a homestead block for purchase from their lease. This selection of a block for purchase from the leasehold was known as 'the squatters' pre-emptive right', since the purchaser did not have to compete for the land at auction. The area to

---

<sup>83</sup> '1848 Regulations, Government Notice No 66', pp 2-3.

<sup>84</sup> '1848 Regulations, Government Notice No 66', pp 2-3.

which they were entitled became the source of disagreement between squatters and the governments of Britain and the Colonies.<sup>85</sup> The Regulations of July 1847 for Van Diemen's Land did not include a pre-emptive right to purchase. The other disadvantage was that pastoral licenses in Van Diemen's Land were not exclusive. The government was able to concurrently issue licenses to 'men of good character', to cut timber on the pastoral leases.<sup>86</sup>

The system of pastoral licenses allowed the industry to expand into the Lake Country, now known as the Central Plateau.<sup>87</sup> This expansion was perhaps surprising, since, following a short-lived economic boom in 1839-40, the Australian colonies were plunged into a five-year depression. In Van Diemen's Land, export markets to the other Australian colonies declined as Port Phillip and South Australia became self-supporting, then exports to Britain fell as the price of wool on the London market declined from 15d per lb in 1841 to just 9d in 1844.<sup>88</sup> In spite of this, the area held annually under pastoral licenses increased from just 200,000 acres in the early forties, to 1.5 million from 1844-9.<sup>89</sup>

One of the strategies rural producers can use when commodity prices fall is to increase their output. In doing so, they risk glutting an already saturated market and forcing prices down even further, but the Van Diemen's Land pastoralists had another reason for wanting the Lake Country. They wanted insurance against

---

<sup>85</sup> Coghlan, *Labour and Industry in Australia Vol II*, pp 646-8, 655-6; William Campbell, *The Crown Lands of Australia*, (Glasgow, 1855).

<sup>86</sup> '1848 Regulations, Government Notice No 66', pp 2-3.

<sup>87</sup> Tim Jetson, *The Roof of Tasmania: A History of the Central Plateau*, (Launceston, 1989).

<sup>88</sup> Hartwell, *Economic Development*, pp 118, 214-6.

<sup>89</sup> Hartwell, *Economic Development*, p 58.

drought. On the runs established prior to the 1840s, with no improved pasture, green feed and waterholes dried off with the arrival of summer in December. By contrast, the growing season did not begin until November in the Lake Country, and water remained plentiful through summer.<sup>90</sup> Captain Henry Butler Stoney, travelling through Van Diemen's Land shortly before self-government, remarked upon observing Lakes Crescent and Sorell that 'Nothing strikes the traveller in summer so much as the green fresh looking grass at the lakes, when compared with the scorched and withered appearance of the lower country.'<sup>91</sup>

Stoney found most of the Lake Country occupied by sheep in the summer of 1855, and, in the milder places, some flocks overwintered. Pastoralists were not interested in buying the land in 1855; they were deterred by the high price and the high elevation.<sup>92</sup> By the late nineteenth century, some 350,000 sheep and 6,000 cattle were sent to the Lake Country annually for summer grazing.<sup>93</sup>

This practice persisted well into the twentieth century. A study conducted in 1953 identified the main sheep rearing areas in Tasmania and the regions of the Lake Country used for summer grazing. It is shown here because it provides the best illustration of the districts settled by pastoralists as well as the area used under lease in the Lake Country. See Map 1.3. This map was constructed in 1953; the only difference from the 1840s is that the area used in the Lake Country then

---

<sup>90</sup> R R Shepherd, 'Land Use', in *The Lake Country of Tasmania; a Symposium arranged by the Royal Society of Tasmania*, (November 1972), pp 163-4.

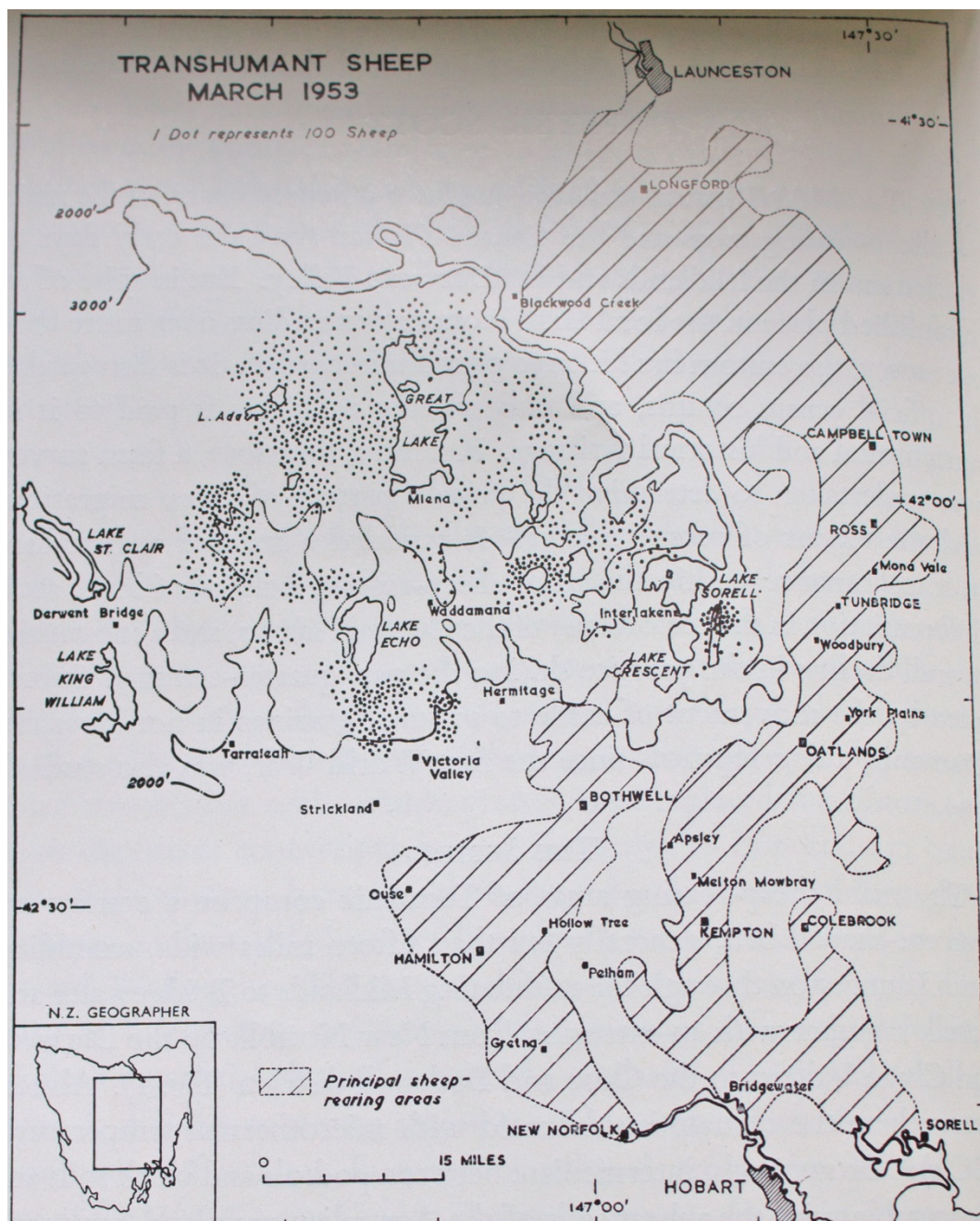
<sup>91</sup> Captain Henry Butler Stoney, *A Residence in Tasmania with a Descriptive Tour through the Island from Macquarie Harbour to Circular Head*, (London, 1856), pp 191-2.

<sup>92</sup> Stoney, *A Residence in Tasmania*, pp 189-90.

<sup>93</sup> Shepherd, 'Land Use', p 164.

would have been greater. Chapter Three will show that it certainly extended west beyond Lake St Clair.

Map 1.3: Transhumant Sheep 1953.



Source: P Scott, 'Transhumance in Tasmania', *New Zealand Geographer*, 11, (1955), pp 157-72.

In 1972, there were still eighty-one grazing properties on the Central Plateau, but only twelve were occupied. No-one lived in the higher altitudes. Farmers in Hamilton and Bothwell relied on the Lake Country for twenty per cent of their grazing, but the main value of the country was still as insurance against drought and bushfires in their lowland properties.<sup>94</sup>

During the 1840s, many pastoralists adopted another strategy to improve the profitability of their estates. They drained the swamps, but in the pastoral districts of Van Diemen's Land, with about half the annual mean rainfall of Norfolk Island, irrigation systems were vital. A typical example of what could be achieved was the property of *Sherwood*, situated between Hamilton and Bothwell, and owned by Isaac Sherwin, the son of the original grantee. Sherwin irrigated his fertile river flats with water from the Clyde River diverted by means of a tunnel cut through the sandstone hill by a father and son team, working with pick and shovel. In 1861, Signor Alessandro Martelli, an irrigation consultant employed by the Legislative Council, criticized Sherwin's scheme because much of the water was lost by soaking into the ground.<sup>95</sup> However, those who worked there, emancipists and their descendants, were grateful for the thriving fruit orchard from which they were allowed to help themselves without asking permission.<sup>96</sup>

Perhaps the most ambitious irrigation and drainage scheme in Van Diemen's Land was that undertaken at *Mona Vale*, the estate of the Kermode family, near the

---

<sup>94</sup> Shepherd, 'Land Use', pp 168-72.

<sup>95</sup> Margaret Mason-Cox, *Lifeblood of a Colony: A History of Irrigation in Tasmania*, (Hobart, Tas., 1994), pp 13-4, 139-42.

<sup>96</sup> Benjamin Smith, 'My Passage in Time, 1835-1927', in Jennie Chapman, *Benjamin Smith: My Passage in Time, 1835-1927*, (Caboolture, QLD, 2003), pp 5-7.



town of Ross. Using the expertise of visiting irrigation specialists, Captain Arthur Cotton and his brother Hugh, William Kermode had Grimes Lagoon, on the Blackman River, embanked and drained. This created a dam, used to irrigate more than 1,000 acres of swamp land that Kermode reclaimed for growing hay and potatoes. Excess water from the dam was used to power a mill for threshing, winnowing, and grinding grain.<sup>97</sup>

This small scheme, begun by private enterprise, became part of a larger scheme in 1840 to dam Toombs' Marsh to create a water supply for Campbell Town. When this dam was found to be too small, a committee of local inhabitants, led by pastoralists P T Smith, Andrew Gatenby and Robert Kermode, successfully negotiated with the governor, Sir John Franklin, to obtain a probation convict party to supply the labour for the Long Marsh Dam. Although free convict labour was no longer supposed to be available to settlers, they paid only for the surveys, the wages and rations for the supervisor, and supplied accommodation for the convicts. The project stretched over more than three years.<sup>98</sup>

The pastoral expansion of the forties had other consequences. Roberts thought it contributed to economic recovery, and absorbed some of the surplus labour created by the convict probation system.<sup>99</sup> It also resulted in the growth of the existing pastoral estates, with the average estate growing to over 3,000 acres by 1848. By 1850 most of the accessible land had passed into private hands.<sup>100</sup>

---

<sup>97</sup> Mason-Cox, *Lifeblood of a Colony*, pp 37-40, 81-8.

<sup>98</sup> Mason-Cox, *Lifeblood of a Colony*, pp 40, 92-104.

<sup>99</sup> Roberts, *History of Australian Land Settlement*, pp 219-3.

<sup>100</sup> Hartwell, *Economic Development*, p 35.

In Van Diemen's Land, just as Commissioner Bigge had wanted, the land was tied up in the hands of the desirable immigrants, those who could increase its capital value. It was also tied up in the hands of those, recipients of free grants and purchasers, who were prepared to practice a range of abuses and evasions to obtain and hold it.

By the 1840s, squatting by occupying Crown lands without payment was well established in Van Diemen's Land. The practice of allowing landowners to describe their own boundaries meant it was almost impossible to determine when land was occupied illegally.<sup>101</sup> Pastoralists who wished to evade the spirit of the law found tools ready to their hands in the Survey Department. Untrained staff and inefficient systems combined with corruption to ensure that the very people whose job it was to help define property rights instead assisted to defraud the public assets. Jones pointed out that part of the problem arose because there were no formal qualifications for surveying; the job was learned in the field. Without a professional standard by which applicants' skills or employees' performance could be measured, accusations of corruption and inaccurate surveying were rife.<sup>102</sup>

The first Deputy-Surveyor-General, G W Evans, and assistant surveyor Scott, were implicated in a scandal by which a settler, William Lawrence, acquired more than four times the acreage to which he was entitled. In 1827, after allegations that

---

<sup>101</sup> Coghlan, *Labour and Industry Vol 1*, pp 400-1.

<sup>102</sup> Alan Jones, *Backsight: A History of Surveying in Colonial Tasmania*, (Hobart, 1989), pp 34, 163; Shaw, *Sir George Arthur*, pp 101-4.

Evans had taken bribes from settlers, Evans was retired.<sup>103</sup> William Lawrence, the beneficiary of Evan's shady behaviour, amassed a fortune in land, became a foundation director of the Cornwall Bank, and developed a steam ship service on the Tamar River estuary. He was appointed a justice of the peace and in 1838 was appointed to the Legislative Council. Unlike Evans, who retired with his reputation under a cloud, Lawrence died wealthy and respected in Van Diemonian society.<sup>104</sup>

In 1825, the Land Commissioners appointed by Governor Arthur to undertake the land valuations required by the Bigge Report, recounted tales of fraudulent practices by settlers seeking to obtain more land than their entitlement, and of corrupt and inefficient surveyors. At the same time, the commissioners themselves all managed to amass large acreages.<sup>105</sup> Roderic O'Connor was appointed to the Van Diemen's Land Legislative Council in 1844-48 and 1852-53. At his death, he owned eleven properties comprising 65,000 acres, and leased a further 10,000 acres.<sup>106</sup> Peter Murdoch accumulated 6,390 acres and served as a police magistrate before retiring to a country estate in Scotland in 1837.<sup>107</sup> Edward Dumaesq also became a police magistrate. He spread his land investments across

---

<sup>103</sup> Jones, *Backsight*, pp 38-64.

<sup>104</sup> Bruce Wall, 'Lawrence, William Effingham (1781-1841)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/lawrence-william-effingham-2336/text3043>, published in hardcopy 1967, accessed online 20 May 2010; E Frank Lawrence, *1823-Before and After*, (Melbourne, 1973), pp 23-30.

<sup>105</sup> Jones, *Backsight*, pp 50-2.

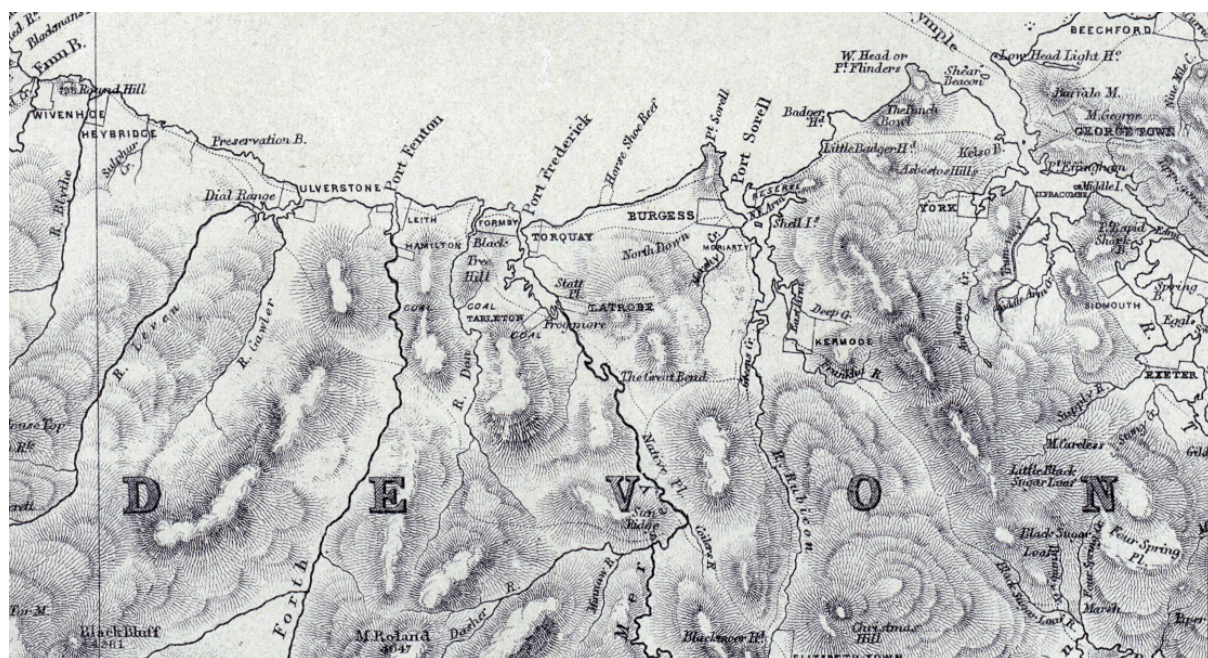
<sup>106</sup> P R Eldershaw, 'O'Connor, Roderic (1784-1860)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/oconnor-roderic-2518/text3407>, published in hardcopy 1967, accessed online 22 February 2010.

<sup>107</sup> Eldershaw, P R, 'Murdoch, Peter (1795 - 1871)', *Australian Dictionary of Biography*, <http://www.adb.online.anu.edu.au/biogs/A020235b.htm>, published in hardcopy 1967, accessed online 26 February 2010.

the four eastern Australian colonies, renting part of his Tasmanian estate, *Illawarra*, to tenant farmers, and dividing his time between that estate and his Victorian and Queensland properties.<sup>108</sup>

The 1840s saw the beginning of settlement along the north coast, west from Port Sorell. The district referred to, County Devon, is shown in Map 1.2. Even in 1859, there was still only scattered settlement through the region, the early attempts to establish farms on free grants having been frustrated, but not ultimately prevented, by the hostile actions of Aborigines and frequent flooding in the many rivers.<sup>109</sup>

Map 1.4: County of Devon 1859



Source: Extract from 'Tasmania by James Sprenst', Reproduced with the permission of the Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania.

<sup>108</sup> Roger Page, 'Dumaresq, Edward (1802–1906)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/dumaresq-edward-2002/text2445>, published in hardcopy 1966, accessed online 26 February 2010.

<sup>109</sup> James Fenton, *Bush Life in Tasmania Fifty Years Ago*, (Launceston, Tas., nd.), pp 12-20.

In 1839, two lots, one on the mouth of the Mersey River, the other on the Forth River, were sold to east-coast settlers, Edward Carr Shaw and his brother-in-law, James Fenton. They intended to drain the marshes at the river mouths. Shaw never lived on his land there, but Fenton became a legend in the district. His observations provide some insights on his choice of land:

Yet, in my verdant simplicity, I took a fancy to the Forth, with its fine, open plain, believing that it, like the Spring Lawn [Port Sorell] marsh, would grow potatoes and oats for export without any heavy cartage; and, besides, there was sufficient native grass for cattle. I could see a fortune in the Forth Swamp!<sup>110</sup>

Fenton was forced off his lot when, after his first crops were ruined by invading sea-water, he employed a team of ticket-of-leave men to construct an embankment to keep out the sea. The high wages, at sixteen shillings a week, ruined him. He began again, this time on a block away from the coast, where he used his new method of land clearing, ring-barking, to kill the trees while he planted crops in between.<sup>111</sup>

Small farming became established almost in spite of the land regulations. There were two distinct groups, the tenant farmers who worked land owned by a landlord, and those who owned or were in the process of buying their own land. By the mid-nineteenth century, tenant farming, based on the English model, was widely established across the pastoral districts of Tasmania. Breen found that two out of every three of the pastoral and wheat farms across northern Tasmania were

---

<sup>110</sup> Fenton calculated that the land would yield ten tons of potatoes per acre, which would sell at £10 per ton. Fenton, *Bush Life*, p 28.

<sup>111</sup> Fenton, *Bush Life*, pp 44-8, 53-6.

occupied by tenants in 1858. Twenty-four landlords controlled thirty-five estates. Breen's findings paint a picture of absentee landlords, who first used their tenant farmers as labourers to clear the land and then increased the rental as the land became productive. Tenant farmers had no security of tenure; many lived at subsistence level paying from one to three bushels of wheat per acre as rental.<sup>112</sup> The average yield ranged from ten to twenty-three bushels per acre.<sup>113</sup>

In northern Tasmania, the estate of *Dunorlan* was a typical example. Originally a grant to Captain William Moriarty, RN, in 1829, it was increased through purchase to make up 4,000 acres, and sold in 1846 to Launceston businessman and land owner, Henry Reed.<sup>114</sup> Reed subdivided the estate into thirteen farms. The home farm, holding 1,000 acres, was leased to Daniel Griffin and another 1,000 acre property to James Bonney. The other farms were each under 250 acres. Reed returned to England in 1847. When the original leases expired in 1860, the properties were allocated to new tenants at higher rents, only Daniel Griffin remaining. The tenant farmers struggled during the depression that followed self-government, until Reed returned in 1873 and began improving the estate. Although tenants changed over the years, *Dunorlan* remained divided as tenancies until 1919, when the Tasmanian government took over part of the estate for use under its soldier settlement scheme.<sup>115</sup>

---

<sup>112</sup> Breen, *Contested Places*, pp 34-74.

<sup>113</sup> 'Statistics of Tasmania, 1869', *JHA*, XIX, paper 1, (1870), p 135.

<sup>114</sup> Hudson Fysh, *Henry Reed, Van Diemen's Land Pioneer*, (Hobart, Tas., 1973), pp 7-12, 19-43.

<sup>115</sup> Fysh, *Henry Reed*, pp 106-114; A J R Hall, *The History of Dunorlan*, (Launceston, Tas., 1984), pp 1-5.

There is evidence of similar tenant farming in the pastoral midlands districts. The estate of *Anstey Barton* in the central Midlands, was inherited by George and Henry Anstey in 1851 from their father, Thomas.<sup>116</sup> They had around thirty tenant farmers in 1858. These occupied lots described as ‘agricultural farms’, which ranged in area from ten to eighty acres.<sup>117</sup> In the second half of the nineteenth century, the properties of the Bisdee families had some fifty-two tenants. These were charged for their rent, and for meat, tobacco, soap, rations, and grain. Tenants paid the landlord in wheat, oats, hay, barley, potatoes, tobacco, and occasionally, in the later years, in wool. They could also pay with their labour, on jobs such as shearing, sheep washing, and fencing. Sometimes those who were deep in debt were forced to settle their debts by handing over their livestock, and at least one tenant was forced to give up his farm of about 300 acres at the Black Hill. Bisdee valued it at £74 19 shillings.<sup>118</sup> This is about five shillings per acre; under the Waste Lands Acts, the government price for agricultural land was twenty shillings per acre.

In the north-west, tenant farming first became established in the 1840s, when the Van Diemen’s Land Company, realizing that the land it had been granted was not suitable to sheep rearing, turned to letting some its land as tenant farms. Initial efforts to attract tenants from England failed. In the early forties, thinking it might lose its assigned convicts under the new probation system, the Company offered

---

<sup>116</sup> ‘Anstey, Thomas (1777 - 1851)’, *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/anstey-thomas-1709/text1859>, published in hardcopy 1966, accessed online 25 February 2010.

<sup>117</sup> Valuation Roll for the District of Oatlands, *HTG*, 4 May 1858, pp 591-5.

<sup>118</sup> Farm Account Book of John Bisdee and others, 1 March 1857 – 30 June 1898, NS2354/1/1, irregular paging, TAHO.

easier terms. These included an option to purchase after ten years, an additional offer of a 640-acre lot on the Surrey Hills block to the first fifty applicants, and guaranteed prices for farm produce. There was still no interest in England, but, in Van Diemen's Land, the economic depression of the forties was causing widespread unemployment, and sixty-eight tenants took up farms in 1842-3.<sup>119</sup>

The guaranteed price proved to be a boon for the tenant farmers. Across Van Diemen's Land, prices for farm produce fell during the forties as produce from the convict probation stations farms flooded the markets. Complaints from local producers did not succeed in closing this system until 1848. Meanwhile, the Company's tenant farmers were insulated against the price drop. The Company lost heavily by the fixed pricing agreement, but it served to establish the tenant farmers. After ten years, every farmer chose to purchase whole or part of his farm.<sup>120</sup> The guaranteed price for the Company's tenants caused severe hardship for another group, the small farmers attempting to establish their forest farms west from Port Sorell. The oversupply of cheap potatoes made it unprofitable to grow potatoes for market anywhere across northern Tasmania in the forties.<sup>121</sup>

By this time, the 1851 Regulations (discussed below) were in force and Stokes blamed these for the decline in interest in the Company farms.<sup>122</sup> However, the regulations resulted in an expansion of tenant farming elsewhere in the north-west

---

<sup>119</sup> H J W Stokes, 'The Settlement and Development of the Van Diemen's Land Company's Grants in North-Western Van Diemen's Land, 1824-1860', BA Hons thesis, University of Tasmania, 1964, pp 35-40.

<sup>120</sup> Stokes, 'The Settlement and Development of the Van Diemen's Land Company's Grants', pp 41-6.

<sup>121</sup> Fenton, *Bush Life*, pp 59-61.

<sup>122</sup> Stokes, 'The Settlement and Development of the Van Diemen's Land Company's Grants', p 62.



where some 90,000 acres were taken by large landholders, merchants and speculators from Hobart, Launceston and the Midlands. These subsequently leased the land in smaller blocks to tenant farmers.<sup>123</sup>

There were some independent small farmers. Boyce noted that settlement began in the forest lands in the 1840s, where poor immigrants and emancipists carved homesteads out of Tasmania's heavily forested lands. Even there, the same large landowners monopolised ownership.<sup>124</sup> In the south of Tasmania, small farming was initiated by the Governor's wife, Lady Franklin, who purchased an estate in the late 1830s in the Huon Valley. This was occupied by tenants, but these tenancies were different because Lady Franklin's goal was for the tenants to eventually become landholders themselves. Some of these first tenants later moved on to other farms in the Huon Valley after purchasing their first farms.<sup>125</sup>

By the time the convict probation stations were established in the Huon district at Port Cygnet and Lymington in the 1840s, there were already numbers of small, independent farmers and sawyers who relied on the coastal trading vessels to take their timber to Hobart.<sup>126</sup> The farms were small; many were less than fifteen acres. The farmers there were labourers, ex-convicts and ticket-of-leave men with little farming experience and no capital. They aimed for subsistence until they could

---

<sup>123</sup> H J W Stokes, 'North-West Tasmania 1858-1910: The Establishment of an Agricultural Community', PhD thesis, Australian National University, 1969, pp 5-6.

<sup>124</sup> Boyce, *Van Diemen's Land*, p 220.

<sup>125</sup> Ritchie Woolley, and Wayne Smith, *A History of the Huon and the Far South: Before the Orchards Grew Vol 1*, (Huonville, Tas., 2004), pp 74-89.

<sup>126</sup> Woolley and Smith, *A History of the Huon*, pp 74-89.

produce a surplus from their land, a process requiring several years of hard labour.<sup>127</sup>

### **The Gold Rush, 1851**

The last land rush to occur before self-government was a direct consequence of the Victorian gold rush. The Regulations of 1851 were introduced by Governor Sir William Thomas Denison as an inducement to young Tasmanian men to remain on the land. These became known in Tasmania as the 'Quiet Enjoyment Regulations' or the 'Pre-emptive Rights Regulations' after the two new classes of land to which they gave rise. They allowed 'Licensees of the Crown generally' to select for purchase not less than one hundred acres from any part of the run, and a 'quiet enjoyment' block up to ten times that area, 'for depasturage only, and protected from resumption by the Crown for 14 years'. Credit was available for ten years and lessees were entitled to hold their quiet enjoyment lands for ten years after the final payment had been made.<sup>128</sup>

The intention was to induce young Tasmanians to remain by providing generous access to land and enabling them to purchase their homesteads with improvements, that is, to give Van Diemen's Land squatters the pre-emptive right they had hitherto lacked. By removing the right of the government to resume the land, the regulations ensured the land could have no alternative use for a generation and the government was denied the right to search for purchasers more

---

<sup>127</sup> Robson, *A History of Tasmania: Volume I*, pp 366-9.

<sup>128</sup> 'Government Notice No 114', *HTG*, 4 November 1851, pp 935-6.

willing to meet their obligations when the first purchasers failed to pay. This was quite out of step with developments in the other colonies. In 1852, Victoria's Lieutenant-Governor Latrobe, acting on the advice of the Legislative Council, set out to restrict the pre-emptive right to purchase the pastoral licensees, allowing them to purchase only their homestead block and a portion of their run. He set the Survey Department to marking out reserves against the colony's future need, without regarding the lands as being subject to a pre-emptive right. The squatters appealed to England, but their appeal was not upheld. Coghlan showed that the reply, from the Duke of Newcastle, pointed out that many of the clauses in the Orders of 1847 were permissive only, and allowed the colonial governments to negotiate with the squatters. The result was that in New South Wales the squatters were dealt with lightly, 'greatly to the detriment of the general settlement', while in Victoria, the government continued making reserves that enabled it to put former leasehold land on the market for small settlers.<sup>129</sup>

The lands committee of the Van Diemen's Land Legislative Council, which had provided advice to Governor Denison in the forming of these regulations, included a number of pastoralists including William Race Allison who had compiled the 1847 and 1848 regulations. It was at this point that the petitioners first mentioned at the beginning of this chapter sent their petition to the Governor. In addition to their fear that the regulations would create 'an unjust and grievous monopoly', they also claimed that the regulations 'appeared to be at variance with the intention and instruction of her Majesty's government, which determined that

---

<sup>129</sup> Coghlan, *Labour and Industry in Australia Vol II*, p 657.

waste lands shall be sold at not less than one pound per acre'. Petitioners feared the regulations would establish, not a pre-emptive right, but 'a right to prevent the sale of large tracts of land for twenty years'. Governor Denison's response was to say that the regulations would be 'most beneficial' and he did not feel called upon to alter them.<sup>130</sup>

The petitioners were proved right. Historians have agreed that these regulations were disastrous. Roberts thought they contributed to the long depression that followed self-government by tying up nearly a million acres of the most desirable of the remaining land and delaying settlement in the rich lands of Devon.<sup>131</sup> Stokes calculated that in north-west nearly 90,000 acres were taken up in 500 acre and 640 acre blocks from Port Sorell to Table Cape (the area Roberts referred to). This was mainly purchased by large land holders, merchants and speculators from Hobart, Launceston, and the Midlands, some of whom subdivided their purchases and let the land to small tenant farmers.<sup>132</sup> Contemporary James Fenton, who farmed on the Forth River from 1840, condemned people such as 'Messrs Clerke, Jordan, Pyke, Wedge and others' who held their pre-emptive right land in Devon without improvement.<sup>133</sup>

The exact amount of land occupied under the Regulations of 1851 is not clear. Roberts thought one million acres were involved.<sup>134</sup> The only definite figures available are those presented to parliament by the Surveyor-General, J E Calder,

---

<sup>130</sup> 'Land Regulations: Petition', *VDLLCJ*, 1, paper 60, (1852), p 4.

<sup>131</sup> Roberts, *History of Australian Land Settlement*, p 291.

<sup>132</sup> Stokes, 'North-West Tasmania 1858-1910', pp 5-6.

<sup>133</sup> Fenton, *Bush Life*, p 105.

<sup>134</sup> Roberts, *History of Australian Land Settlement*, p 294.

in 1864 (Table 1.2). Determining the exact figure from the applications is impossible because in practice these leases were transferable, in whole or part.<sup>135</sup> Others were soon abandoned. It seems certain that the original area would have been higher than Calder's figures, but it is impossible to know whether it was double these as Roberts claimed.

Table 1.2: Land Alienation under the 1851 Regulations

	Acres sold	Quiet enjoyment acres
Paid for by 1862	95,693	68,896
Unpaid at 1862	131,025	277,191
Total	226,718	346,087

Source: 'Lands of Tasmania', *JHA*, VIII, paper 46, (1862), pp 90-8.

Almost 96,000 acres were sold from 1851-54 and paid for by 1862. A further 131,000 acres were 'sold' on credit, although the money had not been paid by 1864. Another 346,000 acres were tied up as 'quiet enjoyment lands', to which leasehold fees applied. Of this, the majority of 277,000 acres would remain tied up until the early 1870s.<sup>136</sup> Just as the petitioners had feared, the regulations prevented the sale of land.

If there was ever a time in the history of Van Diemen's Land when pastoralists could have afforded to pay for their land, it was in 1851-55, as the next chapter will show. By deferring payment for ten years the regulations reduced the

<sup>135</sup> Letter to William Archer, 18 March 1864, p 48, Surveyor-General's Letterbooks 9 February 1864- 12 October 1865, LSD16/1/19, p 48, TAHO.

<sup>136</sup> 'Lands of Tasmania: Report by the Surveyor-General', *JHA*, XI, paper 18, (1864), pp 82-9.

probability of such money being paid; after all, the pastoralists had never paid their quit rent. Since the regulations allowed the licensee to hold his quiet enjoyment lands for a further ten years after the final payment, this gave pastoralists exclusive right to the land for not ten, but twenty years. It was the respectable and wealthy, the gentry, who paid later and who knew how to make the most of their opportunities. One of those who signed the petition against the 1851 Regulations was James Maclanachan, pastoralist, church elder, member of the House of Assembly and of the Legislative Council from 1868-84.<sup>137</sup> This did not prevent him from making the most of the Regulations. He purchased 455 acres, but had still to pay for this at 31 December 1862. In the meantime, he had 4,545 acres of quiet enjoyment land on the River Shannon (the Lake Country) until 1872 on the strength of his purchase. Also buying (on credit) on the Shannon were F and W Synnot, who selected to purchase 1,340 acres in three blocks in defiance of the 8<sup>th</sup> provision, which limited such selection to one block per licensee. They held an additional 12,400 acres in quiet enjoyment lands.<sup>138</sup>

In the short term, the regulations were subject to a range of abuses, all typical behavior of Australian squatters. One technique was to circumvent restrictions by selecting in the names of minors. Pastoralist Edward Nicholas, prohibited from taking more than one quiet enjoyment block, acquired two blocks, each of 100 acres, by selecting these in the names of his sons, Edward and Henric Nicholas. Each selection carried with it a quiet enjoyment block of 1,000 acres. Nicholas

---

<sup>137</sup>Maclanachan, James (1799–1884)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/macleanachan-james-4119/text6429>, published in hardcopy 1974, accessed online 1 July 2013.

<sup>138</sup> 'Lands of Tasmania: Report by the Surveyor-General', *JHA*, XI, paper 18, (1864), pp 82-9.

was not the only one to do this. Of the list of purchasers who had paid for their land by 1853, there were some twenty selections made in the names of juniors, with another 4,500 acres tied up in quiet enjoyment lands.<sup>139</sup>

There was evidence of ‘dummying’, another squatting practice in which puppets selected or occupied selections on behalf of another person.<sup>140</sup> William Race Allison, with his brothers, ‘purchased’ on credit almost 6,000 acres. Together the family held over 31,000 acres of quiet enjoyment lands. In 1864, with the time lapsed for credit sales to be completed, the purchase money for these had still not been paid.<sup>141</sup> There is evidence that at least some of these purchases were taken in the names of family members by William Race Allison in order to evade the limits in the Regulations.<sup>142</sup>

Some lands were selected, not for settlement, but for the sole purpose of selling off the timber, the leasehold payments being regarded as a de facto timber license. The 1851 Regulations, combined with the timber boom caused by the Victorian gold rush, led to a large amount of land being taken up on credit in the Huon Valley region. Businessmen selected the land, and then employed timber men to cut out the forests. This resulted in a population boom in the Huon, which lasted

---

<sup>139</sup> ‘Lands of Tasmania: Report by the Surveyor-General’, *JHA*, XI, paper 18, (1864), p 79.

<sup>140</sup> Roberts, *History of Australian Land Settlement*, p 238-9; John Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900*, (Montreal, 2001), p 324.

<sup>141</sup> ‘Lands of Tasmania’, *JHA*, XIII, paper 27, (1866), p 88.

<sup>142</sup> Records show Allison transferred five lots, containing two 640 acre pre-emptive rights blocks, from other family members to himself in the six months before he died. He instigated the transfer, which was not countersigned by family members. Letter to W R Allison from J E Calder, March 1865, Surveyor-General’s Letterbooks, LSD167/1/19, p 435, TAHO.

until timber prices fell again and the industry collapsed. The 1851 lands in the region were then abandoned.<sup>143</sup>

The regulations were not entirely a disaster. Immigrant George Whiting had paid for land in Van Diemen's Land before leaving England, but found on his arrival, that, as a result of the gold rush, the only way he could purchase a farm was to take up land under the 1851 Regulations.<sup>144</sup> He became a long-term resident in the Upper Huon valley and secretary of the Southern Tasmanian Agricultural Society on its formation in 1862.<sup>145</sup> In the north, James Fenton reported that there were some cases in Devon where settlers established permanent farms.<sup>146</sup> Furthermore, one of most successful of the nineteenth century northern companies, the Don River Trading Company, began life as Raymond, Cummings and Company on one hundred acres of land originally purchased under the 1851 Regulations by John Palmer, an emancipist married to the niece of surveyor John Helder Wedge. Palmer sold this part of his five hundred acres within three months of purchase, to Melbourne timber merchant, Charles Huxtable, who opened a sawmill on the land. Following Huxtable's bankruptcy, a new mill was built in 1854 and the business was restructured by a former employee, Canadian timber man, Edwin Cummings. Over the next fifty years, the company expanded and diversified its business interests across northern Tasmania, running sawmills, timber manufacturing plants, shops, and even a factory producing fine furniture.<sup>147</sup>

---

<sup>143</sup> Woolley and Smith, *A History of the Huon*, vol 1, pp 140-3.

<sup>144</sup> Whiting, George, 'The New Lands Bill', *Mercury*, 18 August 1863, pp 2-3.

<sup>145</sup> *Mercury*, 21 June 1862, p 3; Woolley and Smith, *A History of the Huon*, p120.

<sup>146</sup> Fenton, *Bush Life*, p 106.

<sup>147</sup> Faye Gardam, *Sawdust, Sails and Sweat, a History of the River Don Settlement, North-West Coast, Tasmania*, (Port Sorell, Tas., 1996), pp 25-9, 62-188.



The 1851 Regulations were withdrawn from 29 December 1853. With the passing of legislation in Britain to end transportation, the need for a separate land act in Van Diemen's Land ended too, and the regulations of 1851 and 1848 ceased to operate. The *Australian Waste Land Sales Act* came into force again from the end of December 1853.<sup>148</sup> The issue was not raised in the Executive Council until 25 May 1854, and during the intervening months some 319 persons had applied to lease 190,667 acres, and another 112 persons applied to purchase 48,546 acres. The Executive Council decided to permit these applications to stand.<sup>149</sup>

In August 1858, shortly after the first of Tasmania's Waste Lands Acts came into force, the government, in a mostly futile effort, attempted to persuade pastoralists to reduce their holdings to the minimum of 100 acres and forego the use of the quiet enjoyment lands.<sup>150</sup> At this time, the large pastoral holdings were for the most part unaltered, while ten years later one pastoralist even managed to extend his pre-emptive right holdings, by making application directly to the Governor.<sup>151</sup>

The gold rush led directly to the arrival of another small class in Tasmania, the assisted immigrants. Prior to this, the convict system supplied most of the labour required, although there was some assisted immigration during the forties. The Van Diemen's Land Legislative Council (a body nominated by the Governor),

---

<sup>148</sup> 'Alienation of Crown Lands', *Courier*, 20 June 1854, p 3.

<sup>149</sup> Executive Council 1851-1860, EC 4/1/9, 13 July 1854, Minute No 1, p 125, TAHO.

<sup>150</sup> 'Colonial Treasury, 28 August 1858', *HTG*, 22 February 1859, p 360.

<sup>151</sup> John Bisdee was permitted to extend his holding to 700 acres to take up all the vacant land in the vicinity of lot 67, Parish Cumberland. Letter to the Colonial Treasurer and Auditor, 6 April 1864, Surveyor-General's Letterbooks 9 February 1864-12 October 1865, LSD16/1/19, p 65, TAHO.

wanted to introduce indentured labourers, but this was rejected by the British Government on the grounds that it had been unsatisfactory in New South Wales. During 1840 and 1841 some 2,000 immigrants were introduced under three schemes. One was similar to the bounty system used in New South Wales, under which immigrants were expected to pay part of their passage. Another scheme provided free passages out to immigrants approved by the Land and Immigration Commissioners in England. This was funded from the colonial land funds. At the same time, the families of some convicts were permitted to join their relative.<sup>152</sup>

In the early fifties, with the end of transportation looming, and faced with scarcity and rising costs of labour brought about by the gold rush, the Legislative Council began to consider immigration schemes. Various schemes were tried, with some funding provided by the Van Diemen's Land Legislative Council. The Highland and Immigration Society brought out two immigrant ships from Scotland, and an attempt was made to attract immigrants from Melbourne. Although the latter scheme provided some 1,500 immigrants, it was abandoned because the terms were not attractive enough and employers complained that the persons recruited were not suited to manual labour.<sup>153</sup>

When the British government again rejected a proposal for a bounty scheme in 1853, the Legislative Council implemented its own bounty scheme, funded from the general revenue of the colony. Potential employers and relatives could apply for bounty tickets to introduce relatives. The immigrant was required to pay one

---

<sup>152</sup> Coghlan, *Labour and Industry*, Vol I, pp 363-70.

<sup>153</sup> Coghlan, *Labour and Industry*, Vol II, pp 628-634.

quarter of the fare, and to bind themselves to work for the employer for four years. At the same time, immigration continued under the direction of the British Land and Immigration Commissioners, funded from the colony's land revenue. Although the Commissioners objected, the Legislative Council continued with the scheme, which continued to operate in Tasmania until 1864.<sup>154</sup>

Coghlan showed that, while some 12,593 immigrants were assisted from 1851 until self-government in 1856, this did not provide a net population gain to the colony.<sup>155</sup> In spite of this, some immigrants did become long-term residents and established families whose descendants still live in modern Tasmania.

Among the British-born immigrants were the Byard family, James and Ann with their four sons and three daughters. They were recruited by the Tasmanian Immigration Agent in England and arrived at Launceston on the *Ambrosine* in February 1857. Within two days, all the immigrants on board, except for three, were employed in surrounding districts.<sup>156</sup> It was not until 1871 that the Byards were able to purchase their farm, near Mole Creek in the Deloraine district.<sup>157</sup> The Byard family story continues in Chapters Five and Six, based on the farm diaries originally begun by various family members in 1871. The third son, Clement,

---

<sup>154</sup> Coghlan, *Labour and Industry, Vol II*, pp 635-640; F K Crowley, 'Immigration into Tasmania from the United Kingdom, 1860-1919', *THRA Papers and Proceedings*, 3, no 6, pp 103-4.

<sup>155</sup> Coghlan, *Labour and Industry, Vol II*, p 639.

<sup>156</sup> *Launceston Examiner*, 3 February 1857, p 2, 5 February 1857, p 3.

<sup>157</sup> Assessment Roll Rural Municipality of Deloraine 1871, *HTG*, 21 February 1871, p 247.

took over the family farm as his parents aged, and he kept a record of farm and community life until his death in 1934.<sup>158</sup>

Early in the 1850s, numbers of immigrants were recruited from Germany. This was the result of the work of two private citizens working separately, William Kirchener and Frederick Buck. They had some government assistance, and operated by selling bounty tickets to intending immigrants. Between 1851 and 1855 twelve ships arrived in Van Diemen's Land with German immigrants.<sup>159</sup>

Among these immigrants were Peter Yost (or Tost) and his step-family, the Stengles, from Hessen. They arrived in Hobart on the *America* in 1855. The Stengles and their three children were hired to work at Falmouth, north of George Meredith's original grants on the east coast. Peter and his wife, Maria Greismer, were hired for one year as general servants by Dr Brock of Hobart.<sup>160</sup> The Yosts and their children later became pioneers in north-east Tasmania, in a region neither charted nor named at the time of their arrival. Their story continues in Chapter Seven.

This section has shown that, by 1856, most of the productive land was owned by a small, privileged group, the Tasmanian gentry, who had obtained their large pastoral estates mostly as free grants. Small numbers of the early officers and emancipists had also become wealthy based on the acquisition of free grants.

---

<sup>158</sup> Byard family-Miscellaneous notes made by members of Byard family, 1871-1876, NS1126/1/2, TAHO; Clement Byard Diaries, 1873-1933, NS1126/1/5-60, TAHO.

<sup>159</sup> Marita Hargraves, *Inducements and Agents: German, Northern European and Scandinavian Recruitment to Tasmania 1855-1887*, (Sandy Bay, Tas., 2003), pp 26-38, 76.

<sup>160</sup> Hargraves, *Inducements and Agents*, pp 206, 210.

Many of these pastoralists, like their contemporaries in mainland Australia, occupied land in contravention of the law, but remained respectable citizens. The early regulations had tied up most of the accessible land in private hands, had helped establish the pastoral industry, and created Tasmania's gentry. By default, they also created an underclass of landless workers, who were controlled first by the convict system and later by the Masters and Servants legislation.

This section has also shown how the early settlers lived. Even the wealthy first lived in pioneering conditions and existed on wildlife they shot or trapped. Those with large grants used convict labour to build their mansions and their estates, which were well established by the end of the 1830s. Small farmers either worked tenant farms on the pastoral estates, or carved out farms in the forests around the Huon River valley in the south, or in the north-west from Port Sorell to Circular Head.

## **Parliament**

This section deals with the final two questions for the chapter. How did land ownership relate to wealth and political power? What interests were represented in the new parliament?

Tasmania's government was not a popular democracy; those who planned its constitution had taken pains that it would not be so. John West, historian, Congregational minister, and prominent member of the anti-Transportation League, said in his *History of Tasmania*

In seeking the improvement of colonial government, a prudent colonist will guard against the extravagance of theory... The most strenuous opponents of Downing-street have denounced most fiercely the extension of the popular power...The most strenuous educated advocates of self-government are not yet prepared to carry out their principles to the utmost limits.<sup>161</sup>

West anticipated for Tasmania the democracy of the middle class, but sadly in Tasmania after self-government there was no middle class. Instead, the parliament was drawn from a narrow franchise, whose first law, said Townsley, was 'What we have, we hold'.<sup>162</sup>

Both houses in the new parliament, the Legislative Council and the House of Assembly, were fully elected, drawn from fifteen electorates, each returning one member for the Legislative Council and two for the House of Assembly. The majority of members represented rural constituencies, which held numbers of tenant farmers like those of the Van Diemen's Land Company, but whether the tenants were eligible to vote remains unclear. Robson thought they would be eligible as part of the category of £10 householders, but he was unable to confirm this.<sup>163</sup> Given that most of the tenant farms on the *Anstey Barton* estate discussed above were valued at less than £10 for rating purposes, it appears that the question is open to debate.

Unlike New South Wales and Victoria, which had universal manhood suffrage by 1859, Tasmania retained the same restricted qualifications for the franchise for

---

<sup>161</sup> John West, *The History of Tasmania*, edited by A G L Shaw, (Sydney, 1971, first published 1852), p 524.

<sup>162</sup> W A Townsley, *Tasmania: From Colony to Statehood 1803-1945*, (Hobart, Tas., 1991), p 112.

<sup>163</sup> L L Robson, 'Press and Politics: A Study of Elections and Political Issues in Tasmania from 1856, When Self Government Came into Effect, to 1871', MA thesis, University of Tasmania, 1955, p 57.

decades. Later chapters will show that this had a significant impact on the way Tasmanian land legislation was formulated, so it is important here to define exactly who was qualified to vote. The franchise for the Tasmanian Legislative Council was available for males over twenty-one years who owned freehold estate of £50, or who were graduates, barristers, solicitors, medical practitioners, ministers of religion, or officers and retired officers of the British forces. For the House of Assembly the franchise was for males over twenty-one, who possessed a freehold estate of £100 clear; for householders paying £10 annual rent; for those earning a salary of £100 annually, and for professionals enfranchised for the Legislative Council. This excluded most members of the working class, and in fact only about forty-two per cent of adult males could vote for the House of Assembly. Far fewer were eligible to vote for the Legislative Council. There was little agitation for change. Townsley blamed this narrow franchise for the long period of power and influence held by the large landowners, wealthier merchants, and members of the legal and medical profession.<sup>164</sup>

In nineteenth century Tasmania, politics was not a full-time career and there were no political parties. Instead, there were several factional groups, and feuds between these lasted well into the 1870s, contributing to ministerial instability. Members moved freely between houses and the premier could come from either house. Unlike the British Parliament, the upper house (Legislative Council) amended money bills and, although this was a point of contention in the first parliament, the practice continued for over seventy years.<sup>165</sup>

---

<sup>164</sup> Townsley, *Tasmania: From Colony to Statehood*, pp 111-3.

<sup>165</sup> Townsley, *Tasmania: From Colony to Statehood*, pp 98, 112-4.

In Tasmania, both houses of parliament were equally dominated by the pastoral interest. *The Biographical Register of the Tasmanian Parliament* revealed that nine of the fifteen members in the first Legislative Council owned major pastoral estates, often in combination with other business enterprises, such as trading and whaling. Three members had legal backgrounds, and there was one doctor. Two members, J H Wedge and P H Gell, were former surveyors in Van Diemen's Land, and had subsequently acquired large pastoral estates. In the House of Assembly, at least twenty of the thirty-six members who held seats in the first parliament were pastoralists, while nine were merchants often operating in conjunction with the wool interest. Five were lawyers, and three were medical practitioners. Just one, T W Field, was the son of a convict, and he owed his position to his inheritance of *Westfield*, a cattle and horse breeding enterprise near Westbury.<sup>166</sup>

Reynolds pointed out that many of Tasmania's free settlers had participated in the administration of the convict system and most enforced discipline incumbent on masters of assigned servants, with the result that with the end of transportation and the granting of self-government they had difficulty in adapting themselves to the new social and political conditions.<sup>167</sup> He did not comment on the fact that, of the free settlers elected to the first parliament, many were much more closely connected to the convict system, and some remained so even after self-government. In the Legislative Council, W E Nairn (member for Meander) held a

---

<sup>166</sup> S and B Bennett, *Biographical Register of the Tasmanian Parliament, 1851-1960*, (Canberra, 1980).

<sup>167</sup> Reynolds, 'The Island Colony Tasmania', pp 4-5.



number of senior appointments to the Convict Department from 1843 to 1868, including the position of Comptroller-General of Convicts from 1859-68. F Burgess, (Cambridge) was chief police magistrate in Hobart from 1843-57, with a brief sojourn in 1846 as judge in the criminal court in the neighbouring penal colony of Norfolk Island. E S P Bedford, (Hobart) was a medical practitioner who served a period as visiting magistrate to convict establishments.<sup>168</sup>

The House of Assembly was not free of the convict administration taint either. The leader of the first ministry was W T N Champ (Launceston), who had served as a lieutenant at the infamous Macquarie Harbour, as Commandant at Port Arthur from 1844-48, and as Comptroller-General of Convicts. He left Tasmanian politics shortly after his ministry fell in 1857, to become Inspector-General of Penal Establishments in Victoria. Ronald Campbell Gunn, (Selby), although better known as a botanist and explorer, held several posts in the convict administration system in the 1830s. J D Balfe (Franklin) and R Officer (Glenorchy) both held short appointments with the convict department. Charles Meredith (Glamorgan) served as police magistrate at Port Sorell; and J C Gregson, (Norfolk Plains) had held an appointment as Clerk of Arraignment Court of Criminal Jurisdiction in Norfolk Island.<sup>169</sup>

It is not surprising that in Tasmania's first parliament over half the members were pastoralists or merchants connected with the wool trade and that many had been involved with convict discipline through their role as magistrates or as masters of

---

<sup>168</sup> Bennett, *Biographical Register*, pp 12, 24, 123.

<sup>169</sup> Bennett, *Biographical Register*, pp 8-9, 30, 72, 75, 115, 126.

assigned convicts. Neither is it surprising that, in spite of the strength of the anti-transportation movement, almost twenty per cent of members formerly held, or still held, appointments in the convict departments. These were the monied, educated people with experience in the public sector, but to the emancipists it must have seemed as though the old convict department had merely found a new home in the parliament. It is no wonder that the early elections were characterized by apathy. Robson pointed out that fewer than half the members of the House of Assembly had to contest their seats, for which just 3,751 men of the 10,859 registered cast votes.<sup>170</sup> With contenders for seats including those who had actively administered the convict system, as well as those who had benefited directly from it in the supply of assigned labour, the elections could only entrench the old system.

Reynolds thought that Tasmania's free settlers 'strove to perpetuate rather than outgrow the habits of the past'.<sup>171</sup> This point of view is entirely justified since one of the first acts of the new parliament was to pass the Masters and Servants Act.<sup>172</sup> This oppressive legislation imposed criminal penalties, reminiscent of the convict days, on servants who failed to meet their obligations to their masters. The act remained in force until the 1880s. Breen showed that objections to changing the law reflected 'considerable distrust and even fear of the emancipist working class'.<sup>173</sup> This is discussed further in Chapter Three.

---

<sup>170</sup> Robson, 'Press and Politics', p 56.

<sup>171</sup> Reynolds, 'The Island Colony Tasmania', pp 4-5.

<sup>172</sup> 19 Vict no 28.

<sup>173</sup> Breen, *Contested Places*, p 105.

Tasmanians may have been apathetic about voting, but they were not so about the only real issue to emerge during the campaign, the question of taxation. Michael Sprod argued that there were two approaches in the new Tasmanian government, conservative and progressive. The conservative group, which wanted government to take a passive role in society, consisted of the wool kings, who opposed taxation, and the 'self-helpers' who wanted retrenchment. The progressives, working men of Hobart Town and the more remote rural voters, wanted property tax and government investment in communications. The conservatives held a solid base in government and could achieve their ends.<sup>174</sup> Proposals to increase taxation resulted in huge public protests.<sup>175</sup> It was thought the only alternative was retrenchment, a process recommended by the 'Gregson Memorandum' placed before the House in March 1857.<sup>176</sup> The revenue debate barely moved on from this position over the next thirty years, as the next chapter will show.

Robson's study of the press in relation to Tasmanian politics following self-government offers several points that are important for this study. Tasmania's long depression reduced the numbers of daily newspapers from eight in 1856, to just three by 1871, the *Mercury* (Hobart), the *Launceston Examiner* (Launceston), and the *Cornwall Chronicle* (Launceston). All three were conservative, and the *Mercury* and the *Launceston Examiner* only published letters when they agreed

---

<sup>174</sup> M Sprod, 'Politics and Government Finance, Tasmania 1856-1880: a Study of Government financial Policy as a Political Issue during the first Twenty-four Years of Self-government in Tasmania', BEd Dissertation, Tasmanian College of Advanced Education, 1980, pp 87-94.

<sup>175</sup> Over 5,000 people attended public meetings in Hobart and Launceston to protest against taxation. *Hobart Town Advertiser*, 13, 23 January 1857, unpagged.

<sup>176</sup> Robson, 'Press and Politics', p 69.

with the opinions expressed.<sup>177</sup> Two politicians had controlling interests in the news. James Aitkenhead, longtime member for Tamar in the Legislative Council, was one of the founders of the *Launceston Examiner*.<sup>178</sup> John Davies, member for Devon and then Franklin in the House of Assembly, owned the *Mercury*.<sup>179</sup>

Two new members who were to make an important contribution to the land debate joined the parliament at the end of the fifties. John Donnellan Balfe, the Irish immigrant who betrayed the Young Irelanders, and John Davies, an emancipist Jew, began as allies, with Balfe writing articles for Davies' newspaper, the *Mercury*. Although the friendship turned sour, both were outsiders in the parliament of wool kings and merchants, and throughout their parliamentary careers maintained their independence and their support for the small farmers.<sup>180</sup>

This section has shown that most Tasmanians were not represented in the new parliament, which held a large percentage of members formerly employed in the convict system. The parliament was controlled by conservatives, representing the pastoral and merchant interests, and these wanted as little government interference as possible in colonial affairs.

---

<sup>177</sup> Robson, *Press and Politics*, pp 15-6.

<sup>178</sup> Bennett, *Biographical Register*, p 2.

<sup>179</sup> Bennett, *Biographical Register*, p 2; F C Green, 'Davies, John (1813-1872)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/davies-john-3374/text5101>, published in hardcopy 1972, accessed online 24 October 2013.

<sup>180</sup> S Petrow, 'Outsider in Politics: John Davies in Parliament 1861-1872', *THRA Papers and Proceedings*, 50, no 4, (2003), pp 241-52; S Petrow, 'The Bully of Tasmanian Politics: John Donnellan Balfe 1850-1880', *THRA Papers and Proceedings*, 46, no 3, (1999), pp 117-34.

## Conclusion

In 1857, the Tasmanian population of 82,900 was mostly of British and European descent. Males outnumbered females, at 45,916 to 34,886.<sup>181</sup> The remaining indigenous people and their descendants were living either on the fringes of the white frontier, such as the Cape Barren Islands in Bass Strait, or confined to the settlement at Oyster Cove in southern Tasmania.<sup>182</sup>

By the time transportation ended, some 72,500 convicts had been sent to the island.<sup>183</sup> There were very few convicts left by 1855, just under ten per cent of the population. Most of these were not in any kind of gaol. There were 367 on probation, that is, they worked in gangs on public works. The remaining convicts were ticket of leave or pass holders employed in private service.<sup>184</sup>

This chapter has shown that, at the time of self-government, Tasmania faced several problems not experienced in the other Australian colonies. A shortage of accessible land had restricted settlement to the river valleys around and between the two major towns, Launceston and Hobart. There were some scattered coastal

---

<sup>181</sup> Figures from 1857, a census year, have been used, rather than those of 1855. There is a discontinuity in the population series for values in 1856, with no explanation. However the population figures show an increase in total population of 12,945 between 1855 and 1857. Migration data for the same years shows a net increase of just 1,984. This paper assumes the 1857 data to be the more accurate. 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 3.

<sup>182</sup> Lyndall Ryan, *The Aboriginal Tasmanians*, (St. Leonards, NSW, 1996), pp 205-18, 222-225.

<sup>183</sup> Alexander, *Tasmania's Convicts*, p 1.

<sup>184</sup> Townsley, *From Colony to Statehood*, p 97.

settlements, in the east around Swanport and Falmouth, in the south from Hobart to Port Cygnet, and extending west from Port Sorell in the north.<sup>185</sup>

The staple industries, wool and grain production, had used all the best land by 1835, but even in the face of this shortage, the early system of free land grants had continued into the 1830s, after they were supposed to have been replaced by land sales. With the end of convict transportation in 1853, thirteen years after it had ceased to New South Wales, population stagnated and there had been no gold discoveries to stimulate economic and social growth.

The same people who held a monopoly on land also held a monopoly on political power. Society was polarized into two groups, the gentry and the workers, and relations between these were determined under the Masters and Servants legislation, which strove to continue the relationships of the convict era. The gentry were now responsible for governing Tasmania. The success of a nation, however small, now depended on their statesmanship.

---

<sup>185</sup> 'Tasmania by James Sprent', (map), 1859, Department of Primary Industries, Parks, Water and the Environment, available at <https://www.tasmap.tas.gov.au/do/product/HISTCHART/HISTSPRENT1>, accessed 3 March 2013.

## **Chapter Two: The Long Depression 1857-1875**

The Tasmanian Waste Lands Acts were framed in the context of a land shortage and prolonged economic depression, problems no other Australian colony faced during these years. Land bills were not just about allocating the largest single asset of the colony; they were money bills, since they provided a major source of revenue for running the colony. The land legislation also defined what type of land was sold and who was able to purchase it, factors that determined in which districts land was sold and to what use it was put. It is not possible to understand the driving forces behind the land legislation and the results it produced without some knowledge of the economic context of the times. A precise knowledge of this depression has been lacking in Tasmania history, a problem this chapter sets out to resolve.

These years have received relatively little attention from scholars, but for Tasmania they mark the important transition from penal settlement to a free market economy in a self-governing colony. It is almost impossible to apply any historical argument about the other Australian colonies at the time to Tasmania, because the Tasmanian experience was different. In addition to enduring economic depression while Australia thrived, Tasmania developed differently. Economic development in the other Australian colonies arose from the rapid rate

of urbanisation with two-thirds of the Australian population living in towns and cities by 1891. Manufacturing and commercial activity, as well as tertiary services to meet the needs of the urban population, grew rapidly.<sup>1</sup> In Tasmania, not urbanisation, but regionalism, prevailed. The old towns declined as new towns sprang up throughout the north.<sup>2</sup> Expansion in the 1880s came, not from the urban concentration of labour and capital that Butlin described, but, as Linge and Townsley demonstrated, from the regional expansion into new areas for farming, dairying, saw milling, and mining.<sup>3</sup>

In the absence of historical debate about this depression, a number of questions are unresolved. Population loss across four decades is a recurring theme in the literature as a trigger for the depression. It has not been shown to be the cause, although historians have not always been clear about this. Contemporary opinion was clear. Legislators and decision-makers blamed the workers, both those who left for the gold rush for wanting higher wages and those who stayed behind for being inefficient. The one parliamentary enquiry held into the depression took place in 1868, by which time the depression was a decade old. At the hearings of the select committee of the Legislative Council, eight of the eleven witnesses blamed the cost, scarcity and inefficiency of labour for the depression.<sup>4</sup>

---

<sup>1</sup> N G Butlin, *Investment in Australian Economic Development 1861-1900*, (Cambridge, 1964), pp 6-7.

<sup>2</sup> H Reynolds, 'Regionalism in Nineteenth Century Tasmania', *THRA Papers and Proceedings*, 17, no 1, (1969), pp 11-28; W A Townsley, *Tasmania: From Colony to Statehood 1803-1945*, (Hobart, 1991), pp 123-8.

<sup>3</sup> G J R Linge, *Industrial Awakening: A Geography of Australian Manufacturing 1788 to 1890*, (Canberra, 1979), pp 640-4; Townsley, *From Colony to Statehood*, pp 207-220.

<sup>4</sup> 'Select Committee on Agricultural and Pastoral Depression: Progress Report and Evidence', *LCJ*, XIV, (1868), paper 72, pp 5-8.



There was a second enquiry in 1868, initiated by the Tasmanian Railway and Progress Association of which parliamentarians Alfred Kennerley, W R Giblin, and Dr Crowther were members. As part of its aim to promote the construction of a railway from Hobart to Launceston, the group investigated possible new business opportunities, including revitalizing agriculture. It found that agriculture had been abandoned because of a widely held belief that this was no longer profitable in Tasmania, due to the loss of the Commissariat market, the early alienation of the best lands, and the soil exhaustion in the settled areas. The committee itself found other reasons. It did attribute some of the blame to the workers, on the younger generation for leaving for the goldfields, and the 'worn out and worthless condition' of rural labour, but it also recognised that the poor quality of education for rural youth in Tasmania meant the 'economic relations of an agricultural life are not understood'.<sup>5</sup>

Both groups identified other contributing factors. At the parliamentary hearing, John Perkins, who imported mercantile goods from England for sale in Hobart and Melbourne, blamed the introduction of ad valorem duties a decade earlier, which made it unprofitable for him to export to Melbourne. The government had introduced these duties to counteract a fall in revenue from customs duties as trading declined. Other problems were industry specific and related to husbandry or marketing issues that could have been resolved with the application of the right expertise or technology. The sheep disease caused by the liver fluke parasite,

---

<sup>5</sup> 'Tasmanian Railway and Progress Association', *Mercury*, 9 December 1868, pp 2, 3.

which resulted in large stock losses, was seen as a contributing cause by five witnesses, most of whom wanted their lands drained at government expense. John Perkins reported that much agricultural produce, such as butter, cheese and bacon, was imperfectly prepared for market and was not fit to be exported. The meat industry was suffering from competition from Victorian imports.<sup>6</sup>

The Railway Association, as well as blaming dear money, dear labour, failing markets and foreign (that is, Victorian) competition, also blamed the pastoralists. The group claimed that pastoralists were ‘a drawback to progress’. By their aggressive behaviour in the auction room, they prevented immigrant farmers from purchasing land, and they invested their profits, and large sums of borrowed money, not in improving their industry or their land, but in purchasing ever larger estates.<sup>7</sup>

This research found that the issues identified by both enquiries were valid problems, but none actually caused the depression. They were rather symptoms of an economy in decline and struggling to move into the competitive free markets of modern Australia. However, the idea persisted in Tasmania and among historians that the depression was caused by the loss of labour.

Robson blamed the depression on the loss of the ‘industrious population’ to the Victorian goldfields. He seems to have been referring to both labourers and

---

<sup>6</sup> ‘Select Committee on Agricultural and Pastoral Depression’, pp 5-8.

<sup>7</sup> ‘Tasmanian Railway and Progress Association’, *Mercury*, 9 December 1868, p 3.

entrepreneurs because he also said that workers were forced to leave when taxes were increased, and Hobart merchants had left for Victoria.<sup>8</sup> While it might be true that both workers and merchants left, it is difficult to see how, if they had stayed in Tasmania, the depression would have been prevented. Presumably the merchants left to seek greater profits in Victoria, and workers followed because otherwise they would have been unemployed. If they had remained, the merchants would have reduced their profits, possibly forcing more into bankruptcy, and the workers would have faced increasing unemployment.

Beever blamed Tasmania's problems in the 1860s on the loss of enterprising people to the more prosperous colonies and the drain on public funds diverted from more productive use by the costs of maintaining of 'thousands of ageing and aimless convicts'.<sup>9</sup> This argument is also difficult to sustain. The cost of maintaining convicts still fell upon the British government, and Britain continued to provide funding for hospitals and asylums throughout the nineteenth century. This is discussed further in the section dealing with the balance of trade.

Reynolds found the causes went deeper than just population loss, although he observed that emigration to the goldfields left some districts almost without men and the overall efficiency of the workforce declined. He argued that the Tasmanian economy lost both manpower and markets with the withdrawal of

---

<sup>8</sup> L L Robson, 'Press and Politics: a Study of Elections and Political Issues in Tasmania from 1856, when Self Government Came into Effect, to 1871', MA Thesis, University of Tasmania, 1955, pp 76-7, 87.

<sup>9</sup> E A Beever, *Launceston Bank for Savings 1835-1970: A History of Australia's Oldest Savings Bank*, (Melbourne, 1972), pp 67-8.

cheap convict labour, Imperial expenditure, and the reliable local market provided by the convict establishment. As the stimulus provided to the Tasmanian economy by the gold rushes ended, Victoria and South Australia gained increasing shares of Tasmania's traditional markets for agricultural products.<sup>10</sup> This research will show there is considerable evidence to support the arguments about loss of markets and loss of Imperial funding.

Two other historians saw population decline as important, but not as the direct cause of the depression. In the one major study of the event, Townsley found that the population stabilized after the gold rush and the prospects for the colony appeared good.<sup>11</sup> He thought a second population decline, occurring in the 1860s, was more significant, with net out migration, declining birth rates, and a rise in the proportion of women and children. Townsley accepted the contemporary opinion that the depression was caused by decreasing output in the agricultural and pastoral industries, shortage of labour resulting in higher wages, and tariffs introduced by Victoria which rendered unprofitable the export of Tasmanian produce, especially timber and hops.<sup>12</sup> This argument does not provide clear reasons for the decline in rural industries, nor does it explain why increasing wages would have such a large impact in an economy, where the predominant industry, wool production, had low labour requirements. Townsley dated economic recovery from 1872 with the rise in agricultural production, revenue,

---

<sup>10</sup> H Reynolds, 'The Island Colony Tasmania: Society and Politics 1880-1900', MA thesis, University of Tasmania, 1963, pp 10-11.

<sup>11</sup> Townsley, *From Colony to Statehood*, pp 85, 97.

<sup>12</sup> W A Townsley, 'Tasmania and the Great Economic Depression, 1858-1872', *THRA Papers and Proceedings*, 4, (1955), pp 35-46.

prices and wages and attributed the upturn to the improvement in communications brought about by the arrival of railways, steamships, and electric telegraph, and to the discoveries of gold, and the Mt Bischoff tin field in 1871.<sup>13</sup> He may be right about the timing of the recovery and the return of business confidence, but there is no evidence at all to suggest agricultural output increased in the early seventies, quite the contrary. This is discussed in the section on agriculture. Townsley did not make it clear how the mineral discoveries of 1871 contributed to the upswing, given there was no significant export income from tin until 1876.<sup>14</sup>

Linge saw the population decline in the 1860s as evidence for the existence of economic depression in Tasmania, not as the cause. He thought the downturn began before the end of the 1850s. He showed that falling population and a declining marriage rate weakened the demand for housing, causing a decline in building and related trades. Linge also commented on the decline in external trade with the value of imports and exports per head falling from £44 in 1856-60, to £20 in the late 1860s, and £17 in the early 1870s. Decline in the ports of Hobart and Launceston followed.<sup>15</sup>

This chapter attempts to clarify some of the confusion surrounding Tasmania's depression by seeking answers to the following questions. Is it possible to establish precise timing for the depression? How and why did the population change in the depression years? Did the loss of people to the Victorian gold rush

---

<sup>13</sup> Townsley, 'Tasmania and the Great Economic Depression', pp 35-46.

<sup>14</sup> Statistics of Tasmania 1875, *LCJ*, XXIII, (1876), p xi.

<sup>15</sup> Linge, *Industrial Awakening*, pp 633-6.

cause or trigger the depression? What caused the decline in external trade noted by Townsley and Linge? Were there other issues with trade, such as long-term structural changes in the economy, or fluctuations in the trade cycle, that contributed to the trade decline? Were the productivity declines caused by internal or external factors, and were the causes for the decline industry-specific? In which industries was population decline a significant factor? With the rest of Australia engaged in capital formation associated with urbanisation, why was Tasmania different? What was happening to money in Tasmania? Finally, what was the sequence of events that led to recovery, and could things have been different?

## **Methodology**

Data from the Statistics of Tasmania, from the 1850s to 1890, were charted to provide a framework for the analysis. Population was examined first, then issues dealing with trade and productivity. Public revenue and expenditure, capital raising and debt are discussed under the broad heading 'finance', along with a brief discussion on banking and private finance.

The statistics are incomplete, inconsistent and unreliable, so the data are used to interpret trends without relying particularly on any one individual value. There were no employment data; no taxation records in these years before property and income tax; and no local stock market. The values of exports are based on Customs estimates and bear little relation to the price eventually received, perhaps

many months later when the sailing ships finally delivered the goods at their destination.

Wages and prices are both problematic. It would be possible to construct a series for them, but these would have little meaning in a country where most goods and labour were traded in local markets, and values varied widely between localities. Calculating average prices or wages in these circumstances is meaningless. Prices and wages paid in local markets became important as settlement spread under the Waste Lands Acts so these are discussed in the following chapters.

In order to compensate somewhat for the lack of good data, additional qualitative evidence was sought from the contemporary sources such as the evidence presented in official reports and parliamentary select committees. One limitation of this methodology is that, while it provides information about industry, business and government, it provides little insight into the conditions under which most Tasmanians, the domestic servants, the rural labourers and the poor, actually lived. Having limited literacy, they left few written records and having no vote their opinions were not sought by parliamentary enquiries.

As the science of statistics developed in the nineteenth century, a number of attempts were made to correct earlier errors in the Tasmanian statistics and to collect and present data in a form that would facilitate comparisons between Australian colonies. These revisions sometimes make comparisons between years

within Tasmania difficult. In this chapter figures from the later revisions are always used when available. Unless otherwise stated, data was taken from the 1891 Statistical Summary for Tasmania.<sup>16</sup> The government statistician from 1880 on was the highly esteemed Robert Johnston.<sup>17</sup> Under his guidance this later data is somewhat more consistent than the earlier records. Where more detail was sought, this was obtained from the annual Statistics of Tasmania. However, inconsistencies and omissions remain.

## Population

This section seeks to determine how and why the population changed, and if the gold rush population decline did cause the depression. Numbers are charted in figure 2.1, but the figures are problematic. None have been found for 1856, and no explanation for this has been found. Calculations for the inter-censal years were not always accurate, with the government statistician, E C Nowell, stating the unexpectedly lower figure in the 1870 census could only be explained by unrecorded departures. He also regretted the lack of detail regarding occupations, but blamed this on ‘the smallness of the sum voted for taking the census’.<sup>18</sup> Unrecorded departures were always going to be a fact of life in an island country, where the more secure main ports could be bypassed by using one of the many vessels available in any of the bays and river mouths providing safe anchorage.

---

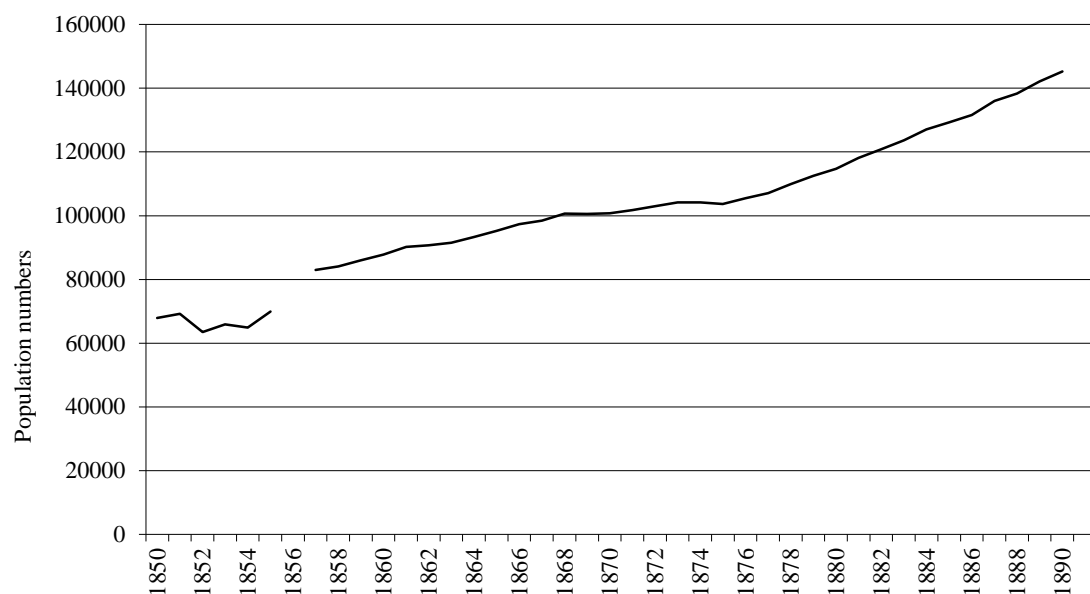
<sup>16</sup> ‘Statistical Summary for Tasmania, from 1816 to 1890’, *TJPP*, XXIV, paper 150, (1891), pp 3-11.

<sup>17</sup> Heather Felton, ‘Johnston, Robert Mackenzie’, in Alexander, A, (ed), *The Companion to Tasmanian History*, (Hobart, 2005), p 195.

<sup>18</sup> Statistics of Tasmania 1869, *JHA*, XIX, paper 1, (1870), pp vii, ix.



Figure 2.1: Tasmanian Population 1850-1890

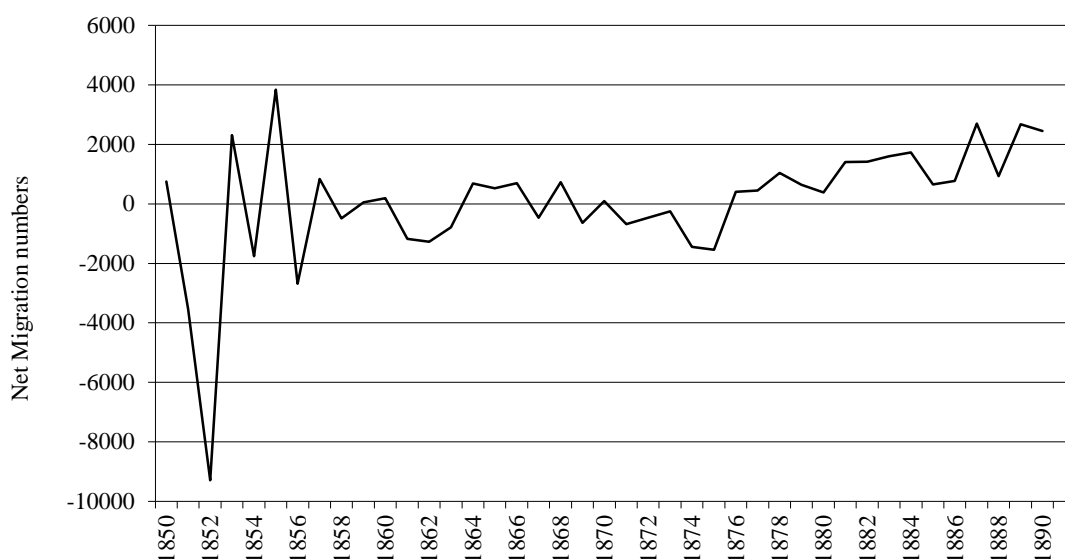


Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890,' Appendix A to Statistics of Tasmania for 1890', *JPPP*, XXIV, (1891), p 3.

There are two clear trends. The population fluctuated from 1851-1855, the gold rush years. Thereafter the population stabilized, but increased only slowly until 1876, with the growth rate increasing from that time.

A study of the net migration provides a clearer picture of the population movements (figure 2.2). This shows large population movements, in both directions, during the Victorian gold rush.

Figure 2.2: Net Migration 1850-1890



Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 3.

From 1851-1855, some 60,402 people left Tasmania, but 51,971 arrived. Tasmania's great population loss amounted to a net loss of 8,431 out of a total population of around 69,000.<sup>19</sup> Two other periods of net outmigration followed, first at the beginning of the 1860s and later at the beginning of the 1870s. Only the years 1864-1867 saw positive migration into Tasmania. The trend became positive from 1876.

Men went to the new Snowy River goldfields in 1860 and to the Otago gold rush in 1861.<sup>20</sup> From 1856 to 1866 Tasmanian women and children left to join their men folk who had remained in Victoria after the gold rush.<sup>21</sup> This was the

<sup>19</sup> Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890', p 3.

<sup>20</sup> *Mercury*, 21 August 1860, p 4; R Kellaway, 'Tasmania and the Otago Gold Rush, 1861-1865,' *THRA Papers and Proceedings*, 46, (1976), p 214.

<sup>21</sup> 'Statistics of Tasmania 1866', *JHA*, XV, paper 1, (1867), p vi.

population loss that Townsley reported as more significant, and this is justified since it meant the permanent relocation of families to Victoria. By 1865, the Tasmanian Immigration Agent, G Smith, was able to report that the excitement of the gold rushes was past; Tasmanian wages equalled those of the mainland colonies; and the 'craving for change' had died out and there was no longer any fear that new immigrants would leave at the first opportunity.<sup>22</sup>

The composition of the Tasmanian population changed, with the percentage of working-age males declining from thirty-eight per cent of the population in 1857, to its lowest at twenty-seven per cent in 1870. By 1880 it had risen slightly to twenty-nine per cent.<sup>23</sup> The proportion of women increased, but this was an adjustment from the male dominated convict years to a more normal distribution. In 1861 there were 122.8 males to every 100 females; by 1870 it had declined to 113.72 males to 100 females.<sup>24</sup> The proportion of children rose. This study has not been able to replicate the figures quoted by Townsley, who reported that eight out of every ten people were children in 1870.<sup>25</sup> If childhood is measured from birth to fifteen years of age, the range used in the Statistics of Tasmania, then children made up forty-three per cent of the population in 1870.<sup>26</sup> Contemporary sources recognized this as a problem of an underproductive labour force, the statistician

---

<sup>22</sup> 'Immigration Agent's Report', *JHA*, XII, paper 20, (1865), p 4.

<sup>23</sup> Calculated from Statistics of Tasmania for 1857, *JHA*, III, paper 30, (1858), pp 6-7; 1861, *JHA*, paper VIII, paper 4, (1862), pp 6-7; 1870, *JHA*, XXI, paper 1, (1871), pp 5-7; 1880, *JHA*, XL, paper 1, (1881), pp 31-3.

<sup>24</sup> 'Statistics of Tasmania 1869', *JHA*, XIX, paper 1, (1870), p vi.

<sup>25</sup> Townsley, 'Tasmania and the Great Economic Depression,' p 35.

<sup>26</sup> Calculated from the 'Statistics of Tasmania 1870', *JHA*, XXI, paper 1, (1871), p vi.

reporting concern on the continuing increase in the proportion of the population unable to assist in the production of wealth.<sup>27</sup>

Before accepting the contemporary opinion at its face value, some consideration does need to be given to where additional people would have found employment. The following sections will show that many industries were in decline, and perhaps the reduction in numbers of those needing employment saved a great deal of distress and hardship, particularly in the larger towns.

Some questions remain. Little is known about the contribution women made to this economy, although many were employed in rural districts and in domestic service. It is not clear at this stage why the out-migration trend reversed in the mid-seventies; the trend is clear by 1876. Linge noted that miners were not attracted to the Beaconsfield gold-mines until 1877, a little later.<sup>28</sup> After the initial discoveries in 1871, tin mining developed in both the north-west and the north-east of the Island; this is discussed further in Chapters Six and Seven.

Did the population loss cause the depression? Its effect on Tasmania's most profitable enterprise was probably slight, since pastoralism had developed precisely because it had low labour needs.<sup>29</sup> Tasmania would have needed some

---

<sup>27</sup> 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), p viii.

<sup>28</sup> Linge, *Industrial Awakening*, pp 639-41.

<sup>29</sup> B Davidson, *European Farming in Australia: an Economic History of Australian Farming*, (Amsterdam, 1981), pp 85-7.

3,000 shepherds in 1858, if calculations are based on Hartwell's estimates.<sup>30</sup> The idea that significant numbers of shepherds left permanently is not supported by the qualitative evidence. There are no complaints from pastoralists and farmers that the shearing was not done, or that they reduced sheep numbers because they could not obtain labour. Pastoralists might complain of the high cost of labour, but then, they always did in Australia. Davidson reported that pastoralists hoped for a speedy end to the gold rushes, which would leave a large unemployed labour force and consequently drive down the price of labour.<sup>31</sup> This was particularly so in Tasmania, where pastoralists looked back nostalgically to the days of free convict labour. Furthermore, those involved in pastoralism and associated industries, while complaining of the high cost of labour, also blamed failures within the industry, mainly overstocking and disease.<sup>32</sup> These problems are discussed under productivity.

The grain industry, second as an export earner, was another matter, requiring, in the absence of machinery, seasonal labour for cultivating, planting, and harvesting. In evidence to the 1868 enquiry, pastoralists Arthur Leake and Heinrich Nicholas reported that they did not cultivate because they could not obtain efficient labourers.<sup>33</sup> Perhaps, but it will be shown that the wheat industry had other problems.

---

<sup>30</sup> R M Hartwell, *The Economic Development of Van Diemen's Land 1820-1850*, (Melbourne, 1954), p 113.

<sup>31</sup> Davidson, *European Farming*, pp 126-7.

<sup>32</sup> 'Select Committee on Agricultural and Pastoral Depression', pp 5-8.

<sup>33</sup> 'Select Committee on Agricultural and Pastoral Depression', pp 6-7.

In 1870 the arrival of just 301 German immigrants glutted the markets for agricultural labourers and tradesmen. Female servants were quickly employed. Agricultural labourers were eventually employed, but the Board of Immigration reported that ‘...the general depression under which the Colony laboured, tended to check the demand for their services’. It was even more difficult to find employment for the tradesmen.<sup>34</sup> The best summary of the situation is probably that of Linge, who reported that it was difficult in Tasmania ‘to maintain a long-run balance between labour and supply’.<sup>35</sup> Linge was writing of an earlier period, but it appears to apply equally well to the second half of the century.

Population loss did have a significant impact on Tasmanian government revenue, and this is discussed in the section on finance.

## Trade

This section seeks to determine causes for the trading decline and particularly how changes in the wider economy and fluctuations in the trade cycle contributed to depression. It examines the balance of trade, fluctuations in the export values of pastoral and agricultural products, and shipping. Mining, which developed towards the end of this depression, is discussed in the section on productivity.

The method used to describe trade in the Statistics of Tasmania at this time was to sum the value of imports and exports, and divide this by the population numbers,

---

<sup>34</sup> ‘Board of Immigration Report for 1870’, *LCJ*, XVII, paper 14, (1871), pp 4-6.

<sup>35</sup> Linge, *Industrial Awakening*, p 118.

thus arriving at a measure of trade per capita. This was useful in allowing a ready comparison between colonies. Townsley used these figures to show how Tasmanian trade declined from £15.2 [£15 4s] to £9.9 [£9 18s] per head between 1862 and 1866, which he claimed were the worst years of the trade cycle. By comparison, in 1866 in South Australia the values for imports and exports were respectively £16.3 [£16 6s] and £20 per capita.<sup>36</sup>

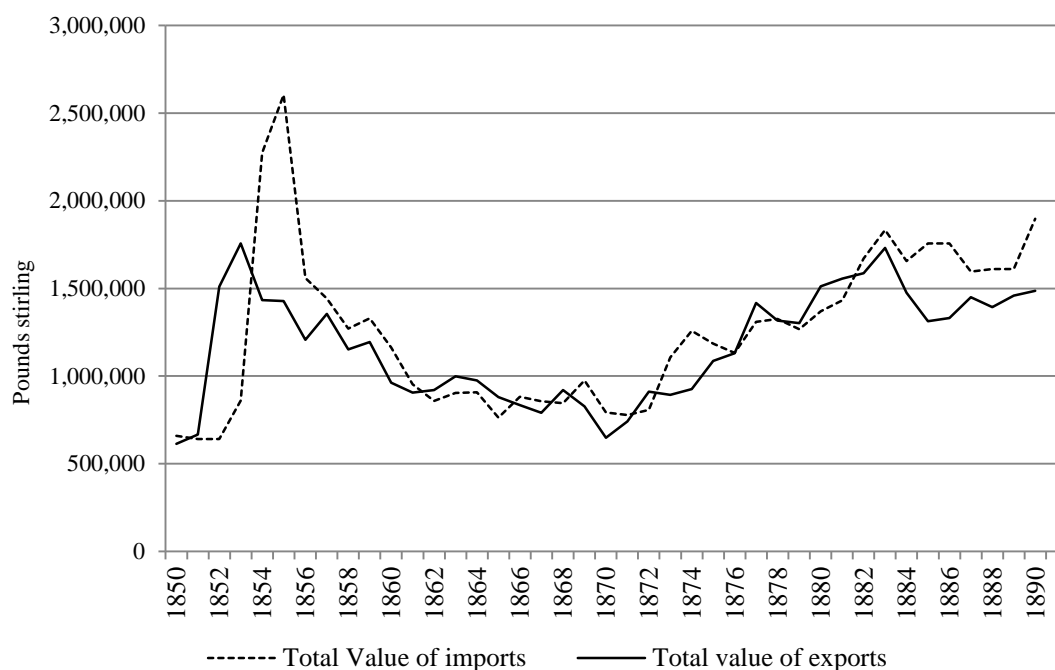
This study charted the total values of exports and imports (figure 2.3), then calculated the balance of trade (figure 2.4). This method was chosen because it is more familiar to the modern reader; however, it has problems. Hartwell argued that British Commissariat transactions in the colony were international payments.<sup>37</sup> To account for these, the balance of trade was then recalculated, adding in the Commissariat expenditure with the export values. The two calculations are compared in figure 2.4.

---

<sup>36</sup> The figures are quoted here as Townsley used them, with the shillings written as a decimal fraction. The figure in parentheses is the amount converted to £ and shillings. Townsley, 'Tasmania and the Great Economic Depression', p 38.

<sup>37</sup> Hartwell, *Economic Development*, pp 99-102.

Figure 2.3: Value of Exports and Imports 1850-1890



Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 6.

More than anything else, the chart demonstrates the speculative nature of nineteenth century trading. The spike in exports in 1854-1855 was quickly followed by a spike in imports. This occurred across the Australian colonies. Sydney Butlin showed that large flow of imports in 1854 produced an economic recession.<sup>38</sup> When gold prices rose in Sydney and Melbourne, along with commodity prices and increasing population, traders were tempted to import more goods. Markets were glutted for nearly a year.<sup>39</sup>

Figure 2.4 shows that the balance of trade was negative for much of the period. This was not unusual; Hartwell reported the same thing for the first fifty years in

<sup>38</sup> S J Butlin, *The Australian Monetary System 1851-1914*, (Sydney, 1986), p 12.

<sup>39</sup> Hartwell, *Economic Development*, pp 52-3.



the Colony.<sup>40</sup> The trade balance was positive from 1862-6, and then from 1875-81, but was very shaky around the late seventies. It will be shown below that the positive years match pastoral boom years in Tasmania. The sharp declines of the early seventies and after 1883 match the years when the Tasmanian government was borrowing money; for the railways in 1870-2, and for extensive capital works programs in the eighties. The latter are discussed in Chapter Six.

Figure 2.4: Balance of Trade and Balance of Trade Corrected for Commissariat Expenditure



Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 6, and the annual Statistics of Tasmania for 1855-1880.

When the Commissariat expenditure is added in, the trends remain unchanged but the whole balance of trade line shifts in the positive direction.<sup>41</sup> It becomes positive for 1857, and the positive values increase in the years from 1861-66, and

<sup>40</sup> Hartwell, *Economic Development*, p 100.

<sup>41</sup> Calculated from the annual Statistics of Tasmania, 1855-1880.

again in 1868 and 1872. Commissariat expenditure fell by about half from £139,000 in 1857 to £67,000 in 1867. The average annual Commissariat expenditure for the years 1856-59 was £139,645; from 1860-1869 it was £72,494. In comparison, the wool clip, much the same in 1857 as in 1867, was worth about £378,900, so the loss in the 1860s would have been similar to losing twenty per cent of the wool clip.<sup>42</sup>

These figures show the large impact Commissariat expenditure had on the economy up to 1868, and perhaps suggests why the government delayed so long before holding an enquiry into the depression. The governing class benefited most from Commissariat salaries and contracts, and were consequently insulated from the full force of the depression until the late sixties, when the Commissariat contribution had significantly declined.

Commissariat expenditure was not the total English expenditure in the Colony. The Statistics of Tasmania and the General Revenue Accounts printed in the various parliamentary papers show that, until the end of the nineteenth century, Britain contributed money for police and gaols, hospitals and charitable institutions, and unspecified reimbursements made through the agent-general in London. These have not been included since there is no series and extracting one from the accounts is problematic because the method of reporting was not consistent across the period studied here.

---

<sup>42</sup> Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890', p 7.

There was another loss in this economy. An underlying assumption in discussing the balance of trade is that export income represents money flowing into the colony. This assumption cannot be made in Tasmania. Until the late 1870s, most of Australia's wool clip was sold in the London markets. During the seventies, sales were established in Melbourne and Geelong, partly as a response to the needs of growing numbers of small producers that came into being following the land selection provisions in Victoria. Then, in the eighties, sales expanded in Sydney. Even by the end of the nineteenth century, half of all Australian wool was still consigned to the London auctions. The remainder was sold at auctions held in Melbourne, Geelong, Sydney, Adelaide and Hobart.<sup>43</sup> At the same time, many of Tasmania's pastoral and mixed farming estates were owned by absentee landlords, who could have their wool consigned to London for sale and who then needed only to transfer to Tasmania the operating expenses for the estates.

It is impossible to calculate the percentage of the wool clip owned by absentees for this period, but the only study of tenant farming in Tasmania demonstrated that would have been significant. Breen, in a study on the northern region, a major grain and wool producing area, found that in 1858, twenty-four landlords controlled thirty-five estates and two of every three farms were tenancies. Half the number of landlords did not live on their estates, with some as far away as Melbourne, London, and Calcutta. This pattern persisted throughout the

---

<sup>43</sup> A Barnard, *The Australian Wool Market 1840-1900*, (Melbourne, 1958), pp 147-78.

nineteenth century.<sup>44</sup> More research is needed on this question, but if the great pastoral districts of Lincoln and Cumberland followed the same pattern, the loss could equal or exceed that lost on Commissariat expenditure. Unlike the sudden decline of Commissariat funding, however, this was a constant slow bleeding of profits throughout the nineteenth century.

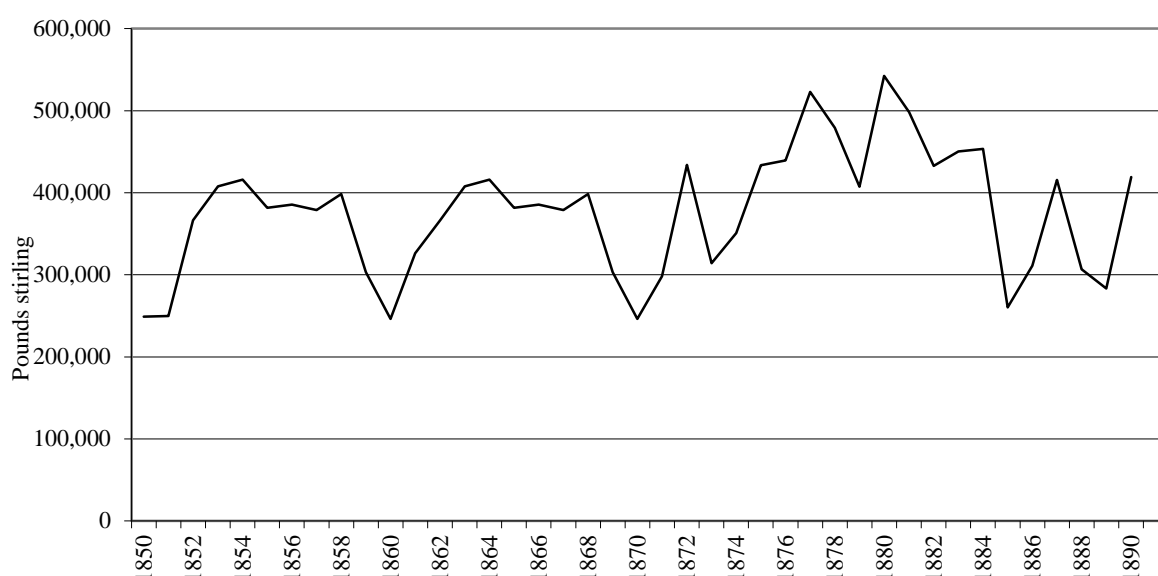
In order to identify specific causes of the decline, export values for individual products were examined. Wool is examined first (figure 2.5). There are qualifications to the figures. The values of exports are those declared in Customs, and bear little resemblance to the ultimate price received in the market place. The wool quantities and values were measured annually by counting the number of bales, then calculating weight and value by using an average. The numbers of bales counted are those cleared in customs for shipping by the 31 December, while the shearing was still in progress, so it really represents part of the current years' output plus the wool not cleared from the previous season. There were also simple counting errors, as occurred in 1869, when the apparent decline in both value and quantity of wool exports, was caused by a counting error.<sup>45</sup>

---

<sup>44</sup> S Breen, *Contested Places: Tasmania's Northern Districts from Ancient Times to 1900*, (Hobart, 2001), pp 47-54.

<sup>45</sup> Statistics of Tasmania 1869, *JHA*, XIX, (1870), p xii.

Figure 2.5: Export Values for Wool 1850-1890



Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 7.

Immediately noticeable are the cyclical variations in the value of wool exports. These do not occur in any other industry, as the following charts show. The decline in wool export values from the peak in 1854 to the trough of 1860 was almost the same as the decline from the peak of 1864 to the trough of 1870, being £69,489 and £69,000 respectively.

The trough years in the wool cycle occurred in the late 1840s, late 1850s, late 1860s, and in the early 1880s. These match trough years in the British trade cycles identified by Rostow.<sup>46</sup> An exact match is unlikely because of the time required for transport and communications in the days of sail; however, this suggests strongly that declines in the British cycle had a major impact on Tasmania's wool

<sup>46</sup> W W Rostow, *British Economy of the Nineteenth Century*, (Oxford, 1948), p 33.

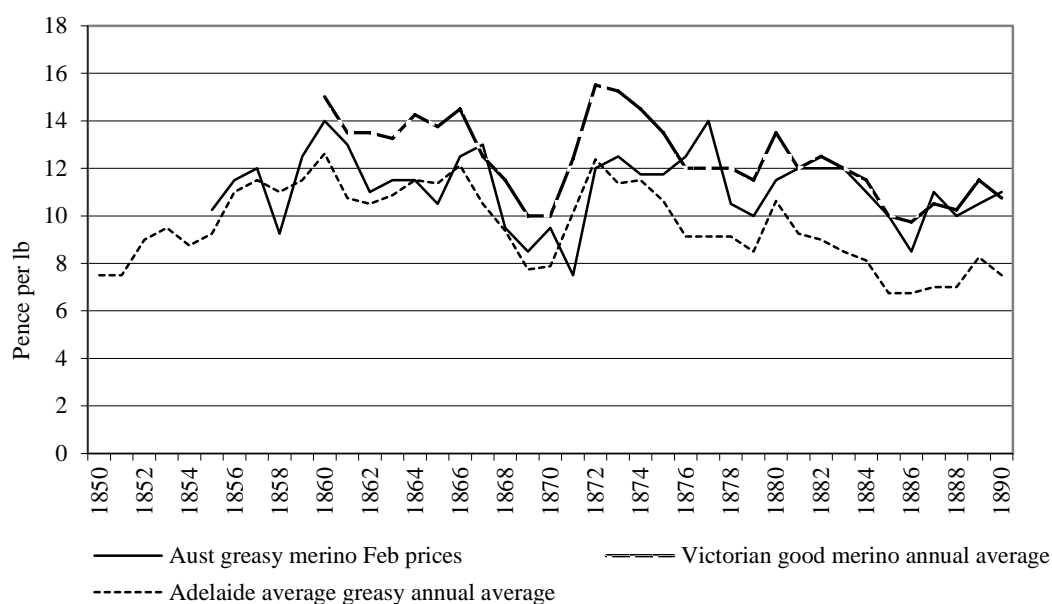
export values. The explanation by Hughes of the financial crash of 1857 shows the links clearly. The prosperity of the 1850s was the result of increasing British demand for wool, as investment in the textile industries expanded with Crimean War demand. In 1857 this demand had ceased, but prices for raw materials from the colonies remained high while British industry was slow to respond to the falling market demand. In October 1857, a financial crisis spread across the United States, and, within ten days, via the new telegraph and trans-Atlantic steam ships, to Britain and Europe. Prices for imported raw materials in Britain fell suddenly.<sup>47</sup> The effect on Tasmania was to cause the very sharp decline in the export earnings for wool shown here.

In order to find any other information to confirm this argument, this research sought independent evidence on wool prices during these years. Barnard provided a table of prices for several types of Australian wool on the London market, and these were charted and shown in figure 2.6. Victorian good merino is probably the product closest to Tasmanian wool, but all series show the depression in wool prices in the late sixties, the boom of the early seventies, and the long, slow decline in wool prices that led up to the next economic depression of the 1890s. The two series available for the years prior to 1860 show a dip around the time of the financial crisis of 1857, illustrating the impact of the decline in London wool prices.

---

<sup>47</sup>J R T Hughes, "The Commercial Crisis of 1857", *Oxford Economic Papers*, no 2, (June, 1956), pp 194-222.

Figure 2.6: London Prices for Australian Wool 1850-1890



Source: Data from A Barnard, *The Australian Wool Market 1840-1900*, (Melbourne 1958), pp 229-30.

In Tasmania, the value of wool exports rose rapidly in the early 1860s with the recovery in wool prices. The decline matching the 1862 trade cycle trough was small; however, another sharp decline occurred in the late sixties, coinciding with another major financial crisis in 1867. Failures of British banks at that time had a serious impact on the economy of Queensland, where the government had borrowed large sums to undertake public works and was left without the means to pay its workers.<sup>48</sup> The effects of the 1867 crisis on Tasmania appear to have been limited to the decline in wool prices. Other pastoral colonies suffered similarly, with both Victoria and New South Wales emerging from depression in the late 1860s.<sup>49</sup> A peak occurred in the British trade cycle in 1873, with a sharp rise in

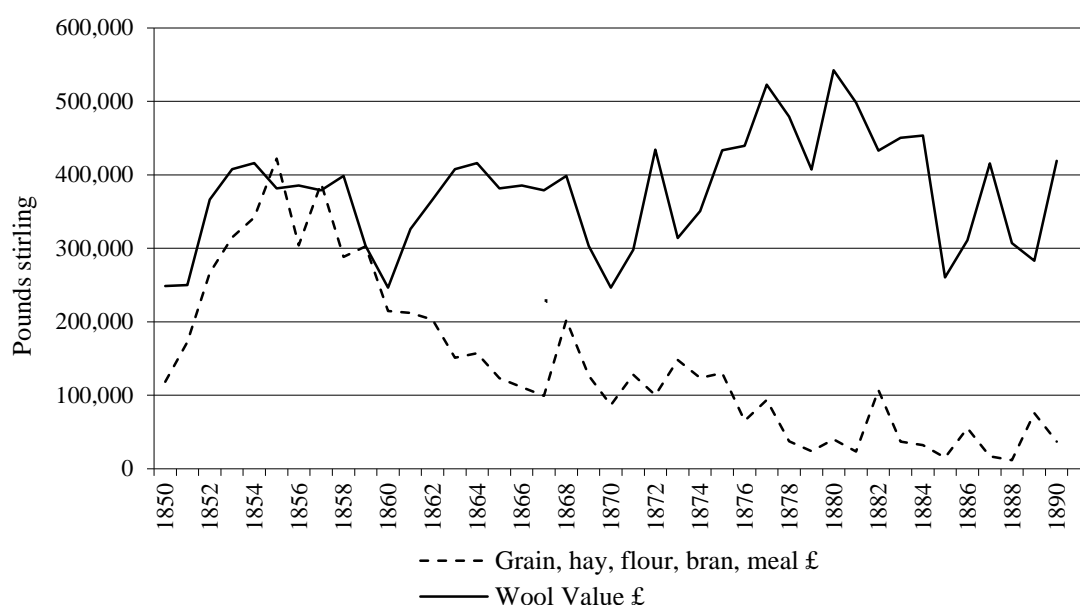
<sup>48</sup> Butlin, *The Australian Monetary System*, pp 55-6.

<sup>49</sup> J D Bailey, *Growth and Depression: Contrasts in the Australian and British Economies 1870-1880*, (Canberra, 1956), pp 1, 36.

wool prices in 1871-3.<sup>50</sup> Butlin identified this price rise as a contributing factor in Australian's pastoral boom on the seventies.<sup>51</sup> Tasmanian wool exports shared in this upswing.

The declining exports, grain, timber, and whaling, were examined next. Grain and timber were charted with wool, to enable a quick comparison of the relative values of the exports. See figure 2.7.

Figure 2.7: Export Values for Wool, Grain and Grain Products 1850-1890



Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 7.

The grain values shown here include the total exports from grain, including barley and oats, bran, flour, and meal, but wheat sales made the major contribution. They show a boom in grain exports during the years of the Victorian gold rush, and a

<sup>50</sup> Rostow, *British Economy*, p 33.

<sup>51</sup> Butlin, *Investment*, p 33.

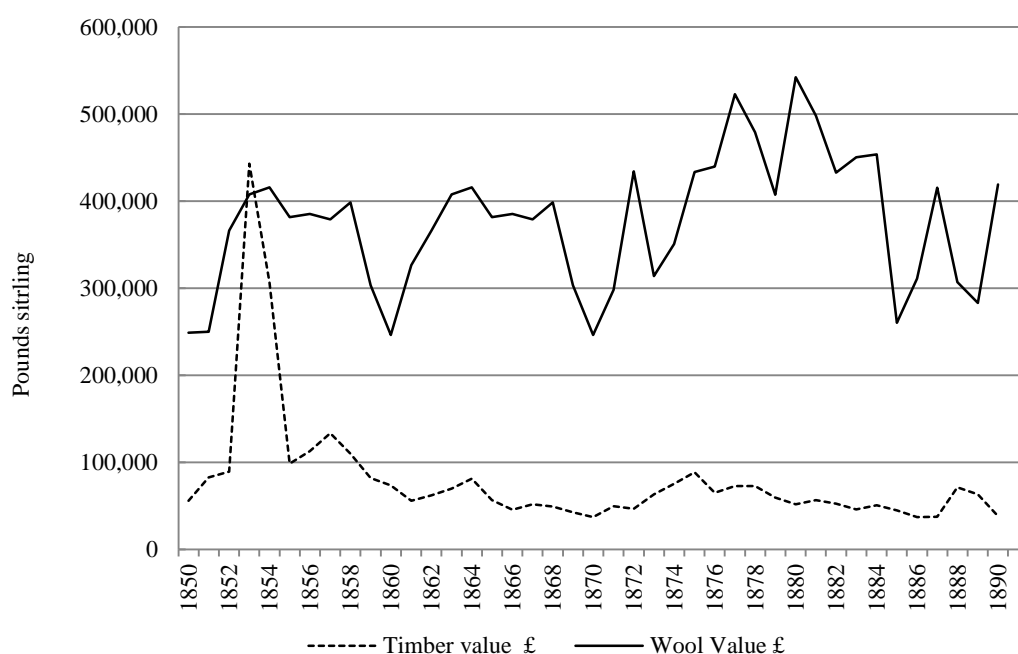


long and steady decline thereafter as the other colonies became self-sufficient in grain growing.

In the days before railways and river steamers, it was more convenient for Victoria to import its requirements, with the exception of livestock, from Launceston rather than from New South Wales; however, Victorian protective tariffs made Tasmanian produce non-competitive there by the mid-1860s.<sup>52</sup>

The export values for timber are shown with wool in figure 2.8.

Figure 2.8: Value of Wool and Timber Exports 1850-1890



Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 7.

Timber had an even bigger rise than grain during the Victorian gold rush, but this was short-lived. Opportunities for exporting timber increased first with the

<sup>52</sup> 'Statistics of Tasmania 1866', *JHA*, XV, paper 1, (1867), p x.

Californian gold rush, and, as this declined, gold was discovered in New South Wales and then Victoria, and the demand for timber forced the price up. When timber prices rocketed in 1853, speculators took up leases under the Regulations of 1851. James Fenton, at Forth in northern Tasmania, attributed his first fortune, and the prosperity in the whole county of Devon, to the timber trade in these years.<sup>53</sup> In the Huon and Port Cygnet districts, speculators leased lands and employed timber getters to harvest the timber. Contrary to the spirit of the legislation, many abandoned the land once timber prices fell. Most of these speculators were Hobart business men, some of whom had their own shipping interests.<sup>54</sup>

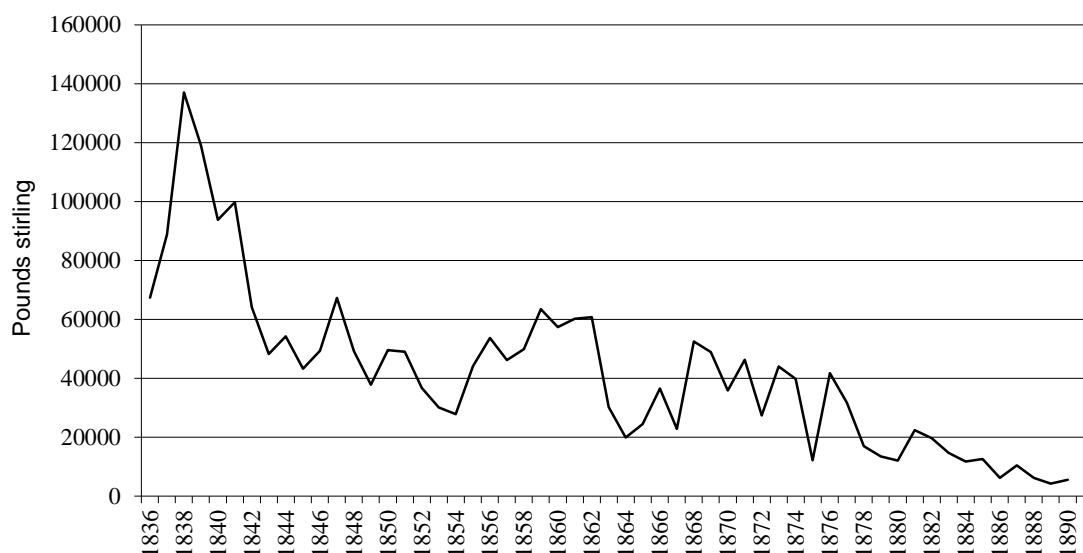
---

<sup>53</sup> James Fenton, *Bush Life in Tasmania Fifty Years Ago*, (Launceston, Tas., nd), pp 162-5.

<sup>54</sup> Ritchie Woolley and Wayne Smith, *A History of the Huon and the Far South: Before the Orchards Grew Vol 1*, (Huonville, Tas., 2004), pp 140-1.

The other established industry in decline was whaling (figure 2.9).

Figure 2.9: Value of Whale exports 1836-1890



Source: Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 11.

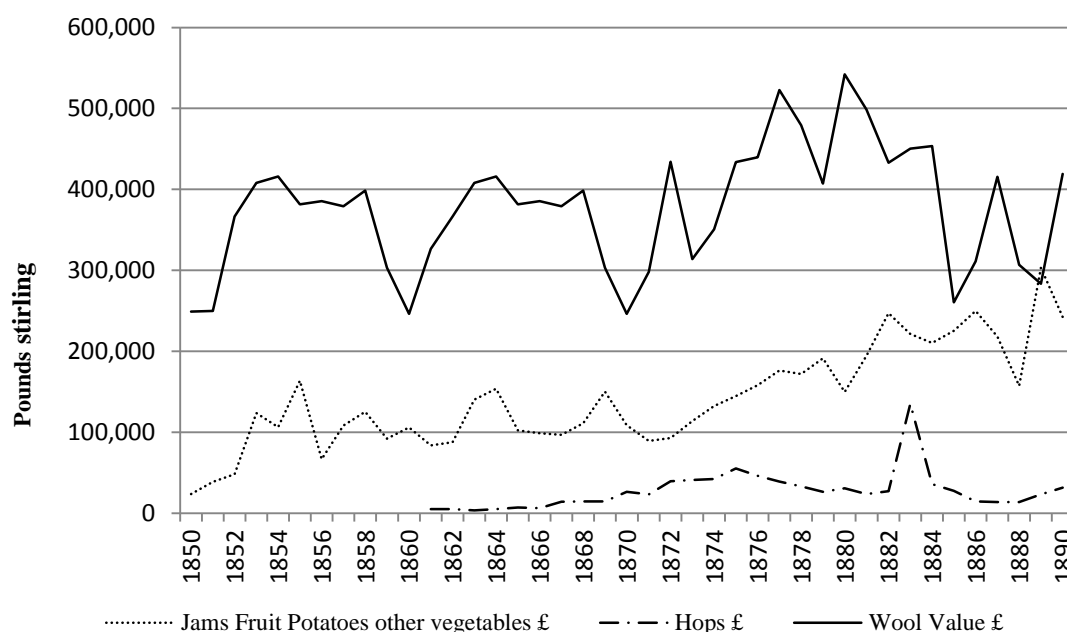
The series begins with its peak years in the 1830s. By 1866 the value of whale oil exported was worth just £38,000, a mere fraction of the peak export value of £135,000 in 1838.<sup>55</sup> The size of the decline had serious consequences for the port of Hobart, and this is discussed below with shipping.

New industries developed during the depression. Fruit and jam making, potatoes and hops, became significant exports and contributed to the recovery from 1872. Jams, fruit and potatoes are included within one classification in the statistics, and are shown here, along with the other new crop, hops, in figure 2.10. In 1888, a

<sup>55</sup> 'Statistics of Tasmania 1869', *JHA*, XV, 1870, p xi; M Nash, *The Bay Whalers: Tasmania's Shore-based Whaling Industry*, (Woden, ACT, 2003), p 111.

year of low wool prices, the value of fruit and potatoes exported exceeded the value of wool exports.

Figure 2.10: Value of Export for Wool, Fruit Products and Potatoes, Hops 1850-1890



Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 7.

Fruit, potatoes and hops had long been grown in Tasmania; what changed in the depression was the scale of the operations. This change in turn helped fuel an expansion in the regional areas. In spite of the poor recording of fruit crops in the early years, it is possible to see the growth in the industry. In 1869, the largest area under gardens and orchards was in Selby, the rural district near Launceston, with Franklin, in the south around the Huon, a close second.<sup>56</sup> A decade later, there were more than 1,000 additional acres in this classification, and the statistician thought it worthwhile to include more detail about the fruit crops. The largest apple producing region lay in the south from the Huon district to

<sup>56</sup> 'Statistics of Tasmania 1869', *JHA*, XIX, paper 1, (1870), p 133.

Glenorchy on the northern outskirts of Hobart. Pear orchards were still concentrated around the two main cities, Hobart and Launceston, but currants and raspberries were being grown south from Hobart to the Huon.<sup>57</sup>

The establishment of jam manufacturing gave producers a local market for their crops. The jam manufacturers, Peacock and Johnson, began operations in Hobart in 1863, and exported to the other Australian colonies, New Zealand and Mauritius.<sup>58</sup> In the same year, they established factories at Port Cygnet (now Cygnet) and the township of Franklin on the Huon estuary. Although there were changes in ownership, partnerships and the actual sites of the factories, jam manufacturing continued in these two towns, with steam powered factories built there in 1876. In 1883, a third plant was opened at Shipwrights Point (Franklin).<sup>59</sup>

During the sixties, the potato industry struggled. It had already seen fortunes made and lost in Tasmania. During the Victorian gold rush, potato prices of between £15 and £30 per ton made potatoes the first choice for small farmers. Inevitably, prices collapsed, and in March 1856, potatoes were almost unsaleable.<sup>60</sup> Men who had borrowed to start their enterprise were ruined. In 1855, Johnson Dean, grandson of William Dean of *Belmont*, was living in the Huon district at the home of his brother-in-law, George Sherwin, when he financed a property in the Upper

---

<sup>57</sup> 'Statistics, 1879', *JHA*, XXXVIII, paper 1, (1880), pp 158-9.

<sup>58</sup> Bruce Brown, *I Excel!: The Life and Times of Sir Henry Jones*, (Hobart, 1991), p 12.

<sup>59</sup> David Coad, *Port Cygnet 1860-1900*, (Kingston, Tas., 2010), pp 38-42.

<sup>60</sup> *Colonial Times*, 14 March 1856, p 2.

Huon with a private loan. When potato prices collapsed, Dean lost his property.<sup>61</sup>

Prices steadied, but did not return to those of the golden age. By 1866, prices in Tasmania varied from £2.5 [£2 10s] to £8.<sup>62</sup>

By 1869, the potato industry had expanded into the new districts in northern Tasmania, with Port Sorell and Horton both now out-producing the Huon. But it was harder to earn a living from potatoes in the north. Yields there only reached from 3.4 to 4.3 tons per acre, whereas in the Fingal district on the warmer and drier east coast, yields of 5.5 tons were achieved. Prices were lower too; in Horton and Port Sorell, potatoes only fetched £1.5 [£1 10s] per ton because almost everybody was growing them. In the Franklin district, around the Huon River, growers had access to the Hobart market via water transport, and their potatoes earned £4 per ton.<sup>63</sup> A decade later, the order of the major producers was unchanged, but the area under potatoes had grown again, with the northern districts of Deloraine, Westbury and Emu Bay (Burnie) all producing significant crops.<sup>64</sup>

Hops were a crop of the old farming districts. They had been grown in Tasmania since the 1820s.<sup>65</sup> In 1846, Ebenezer Shoobridge obtained hops sets for *Glen Ayr* farm near Richmond from the Governor, Sir Eardley Wilmot, and Messrs

---

<sup>61</sup> Woolley and Smith, *A History of the Huon and the Far South*, pp 119-20, 154-5.

<sup>62</sup> The government statistician used the decimal fraction to express shillings. The figures are quoted here as used in the source with the equivalent amount in £ and shillings shown in parentheses. 'Statistics of Tasmania 1866', *JHA*, XV, paper 1, (1867), p 114.

<sup>63</sup> 'Statistics of Tasmania 1866', *JHA*, XV, paper 1, (1867), pp 134-6.

<sup>64</sup> Statistics for 1880', *JHA*, XL, paper 1, (1881), pp 158-61.

<sup>65</sup> Sharon Morgan, *Land Settlement in Early Tasmania: Creating an Antipodean England*, (Cambridge, 1992), p 85.

Sharland, Stanfield and Burke.<sup>66</sup> Sharland and Burke lived in the Derwent Valley and, in 1865, Ebenezer Shoobridge purchased the *Bushy Park* estate in the Derwent Valley and went on to create one of the largest hop-growing estates there.<sup>67</sup> By 1879, there were over 600 acres under hops, mostly near the Derwent Valley towns of New Norfolk and Hamilton. Adventurous farmers continued to grow small amounts of hops at Glenorchy and around the Huon; even farmers at Port Sorell tried a few plants.<sup>68</sup>

Exports of jams, hops, and the smaller export industry of leather and skins (not charted) were all threatened by further protective duty imposed by Victoria during the seventies.<sup>69</sup> One consequence of the Victorian tariffs was that Tasmanian trade with Britain was somewhat revitalized in mid-1870s. In 1875, Tasmania sent forty-seven per cent of its exports to Britain, while exports to Victoria only made up twenty-five per cent of the total.<sup>70</sup>

Shipping has been measured in terms of numbers of vessels inwards, (figure 2.11) and shipping tonnage inwards (figure 2.12). Both series clearly illustrate the economic slump between 1858 and 1875.

---

<sup>66</sup> Letter from Burke, New Norfolk, to Captain Swanston, Derwent Bank, August 1846, Box 4, Bundle 7, Derwent Bank Papers, Heritage Collections, TAHO; Letter from Ebenezer Shoobridge to Captain Swanston, Derwent Bank, August 1846, Box 4, Bundle 7, Derwent Bank Papers, Heritage Collections, TAHO.

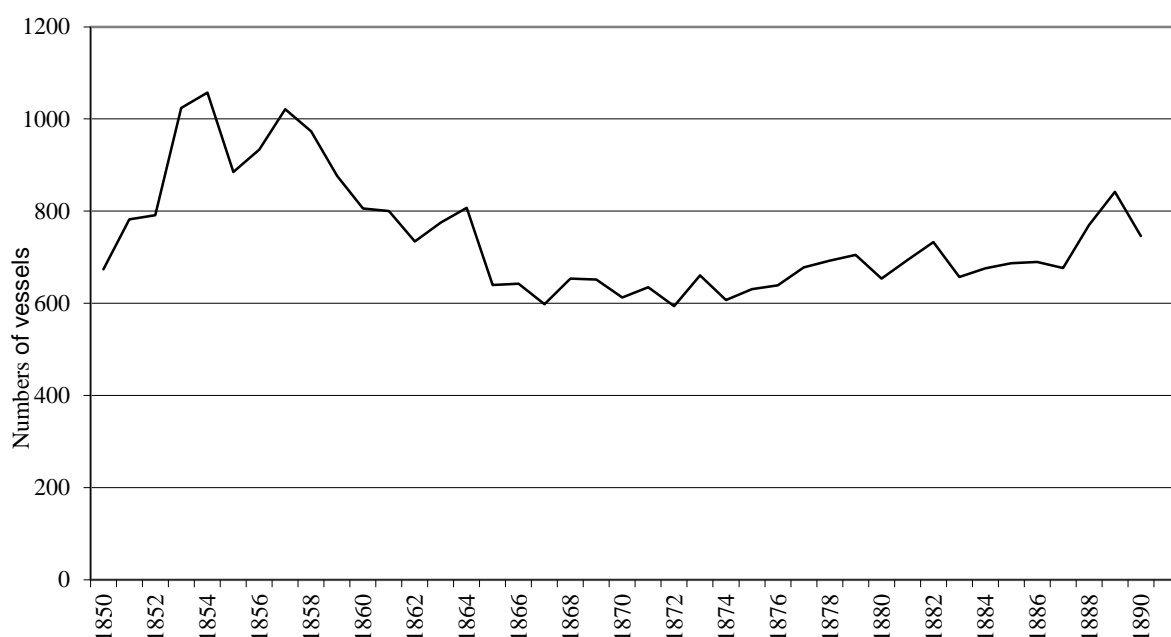
<sup>67</sup> Audrey Holiday and John Trigg, *From Black Snake to Bronte: Heritage Buildings of the Derwent Valley in Tasmania*, (Taroona, Tas., 19880, pp 132, 184, 190).

<sup>68</sup> Statistics for 1880', *JHA*, XL, paper 1, (1881), pp 158-9.

<sup>69</sup> 'Statistics of Tasmania 1870', *LCJ*, XVII, paper 1, (1871), p xxi.

<sup>70</sup> 'Statistics of Tasmania 1875', *LCJ*, XXIII, paper 1, (1876), p xi.

Figure 2.11: Tasmania Number of Vessels Inwards, 1857-1890



Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 6.

The number of ships using Tasmanian ports declined steadily after the mid-1850s, and did not regain the numbers of the gold rush years again in the late nineteenth century. The worst years were 1865-1877, with short-lived rallies in 1873 and 1875.

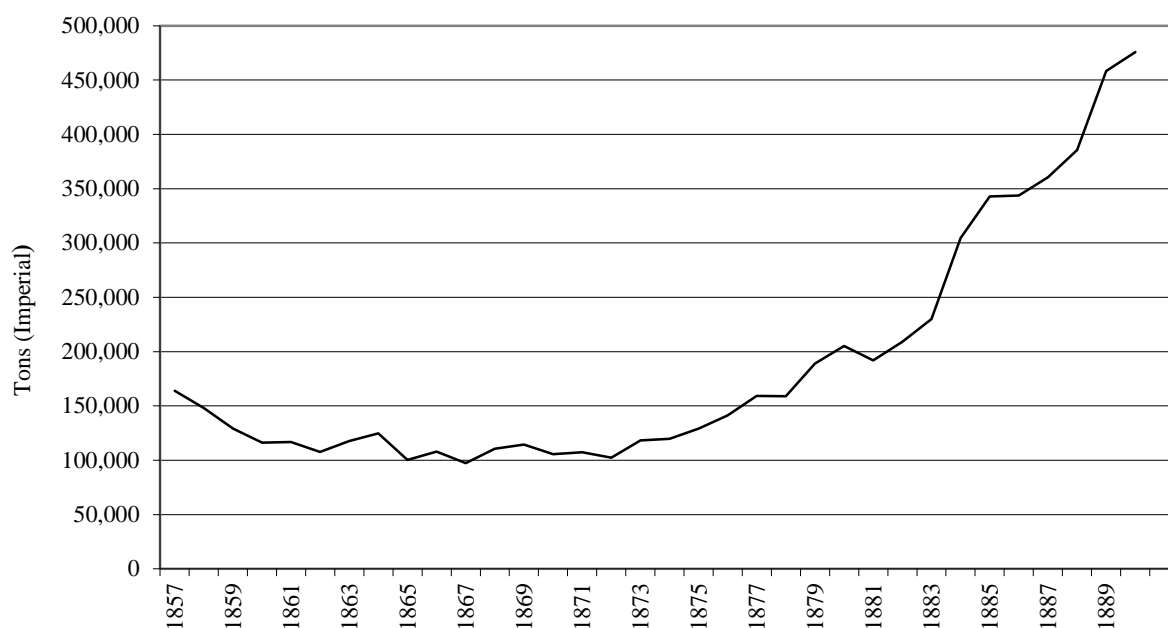
Measured in terms of shipping tonnage inwards (figure 2.12), the worst years were from 1865-1872. The recovery came in 1876, after which tonnage rose steeply, although the numbers of ships rose slowly and did not return to the 1861 numbers until 1886. This large increase in tonnage with correspondingly small increase in the number of vessels is a consequence of the move from sail to steam



which occurred at this period for the traffic between the Australian colonies.

Sailing ships still carried the inter-continental trade.<sup>71</sup>

Figure 2.12: Shipping Tonnage Inwards 1850-1890



Source: Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 6.

The economic impact of the shipping decline on Tasmania and particularly on Hobart must have been disastrous. During the days of the early settlement Hobart had been on the preferred route to Sydney, and, second only in importance to Sydney, it was also an important whaling port.<sup>72</sup> In the 1830s Sydney and Hobart had housed the families of more than 1,000 absent whale men and provisioned

<sup>71</sup> G Blainey, *The Tyranny of Distance: How Distance Shaped Australia's History*, rev. ed, (Sydney, 2001), pp 211-227.

<sup>72</sup> A Hudspeth, 'Shipping and Ports' in A Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, 2005), p 332.

and built the ships. Each foreign vessel in port was estimated to have spent £300 in addition to what the crew spent over the counters on the waterfront.<sup>73</sup>

Changing demand, changing technology and the unsustainable nature of the whaling industry altered all this. After the 1850s Hobart was no longer on the main route to Australia. First, the gold clippers carrying emigrants to the gold rushes bypassed Hobart using the shorter Great Circle route.<sup>74</sup> Then the northern Tasmanian ports developed. Launceston rivaled Hobart in the value of exports shipped through its port in 1869.<sup>75</sup> By the 1870s there were additional small ports at Stanley, Wynyard, Leith and Torquay.<sup>76</sup> The southern right whale was hunted almost to extinction by mid-century and prices for whale products fell.<sup>77</sup> As the whaling industry declined, so did associated industries such as cooperage.<sup>78</sup> Local shipbuilding collapsed, with only nine vessels built in 1874 and 1875.<sup>79</sup>

This section has shown that a number of external factors contributed to the general downturn around 1857. These include the reduction of Commissariat expenditure following the cessation of convict transportation, the impact of the British trade cycles on wool prices, the introduction of protective tariffs in Victoria, and a general decline in shipping resulting from changes in technologies

---

<sup>73</sup> Blainey, *The Tyranny of Distance*, p 119.

<sup>74</sup> Blainey, *The Tyranny of Distance*, pp 183-190.

<sup>75</sup> 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), p xii-xiii.

<sup>76</sup> 'Statistics of Tasmania 1875', *LCJ*, XXIII, (1876), p xii; Torquay is now Devonport; Leith was on the estuary of the Forth River. The E R Pretyman Index to Tasmanian Place Names, TAHO, <http://stors.tas.gov.au/NS2809>, accessed 17 February 2014.

<sup>77</sup> Nash, *The Bay Whalers*, pp 111-5; 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), p xv.

<sup>78</sup> 'Statistics of Tasmania 1873', *JHA*, XXVII, paper 1, (1874), p xi.

<sup>79</sup> 'Statistics of Tasmania 1875', *LCJ*, XXIII, paper 1, (1876), p xxiv.

and in demand. There is no evidence that population loss caused declines in trading, although some population loss undoubtedly occurred as a consequence of the decline in whaling and shipping. The boom years of the gold rush did indeed stimulate the Tasmanian economy, but these levels were not maintained. The decline in wool prices in 1857 caused a sharp decline in export earnings, and, although wool prices recovered, the inexorable declines in timber and wheat exports made economic recovery impossible. During the two decades following the downturn, the new export industries, fruit and jam production, hops and potatoes slowly emerged. In the early 1870s their contribution was around £100,000 annually.

## **Productivity**

This section seeks explanations for the productivity declines, and examines the new industries to obtain information on the timing of the recovery. Pastoralism, as the major contributor to the export income, was examined first. Agriculture was examined in terms of area cultivated; output in specific crops, wheat, potatoes, hops; and livestock production. Manufacturing, building and mining are covered only briefly, since a detailed analysis can be found in the work of Linge.<sup>80</sup>

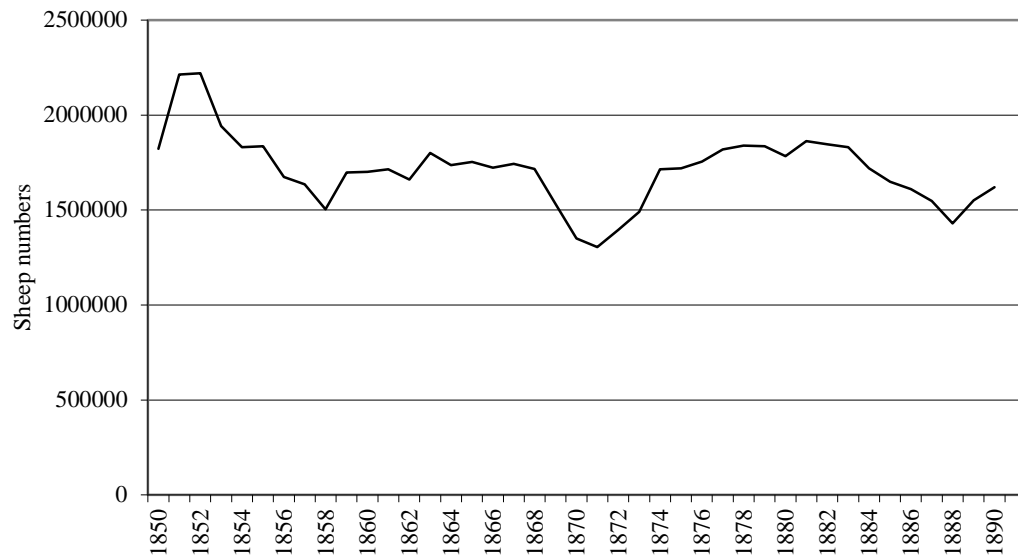
The major industry, sheep farming, had seen no advances for many years. Examining sheep numbers during the second half of the nineteenth century shows numbers declined from the high point of 1854, until the early 1870s (figure 2.13).

---

<sup>80</sup> Linge, *Industrial Awakening*, pp 633-63.

Numbers began recovering at the same time that wool prices rose in the early 1870s.

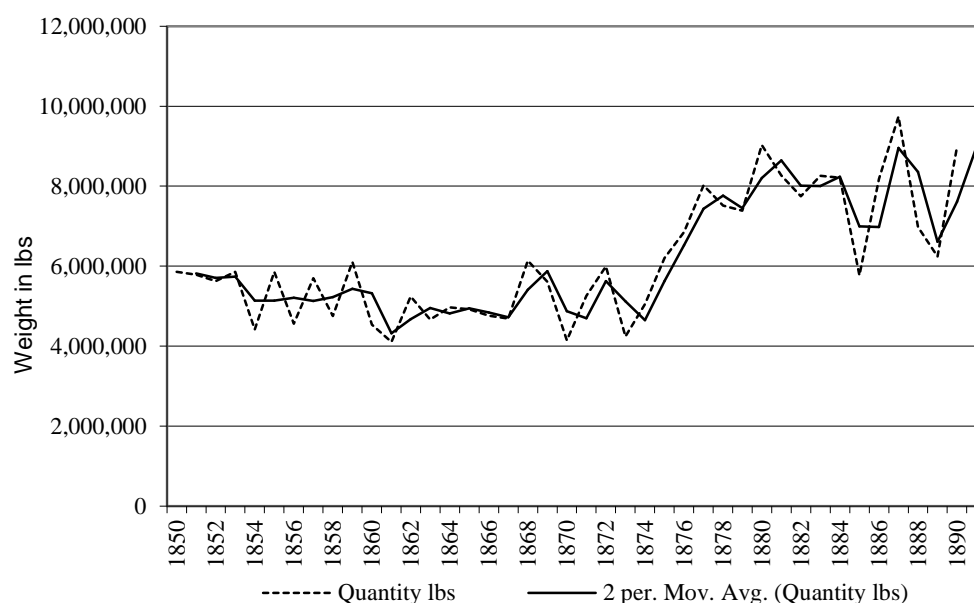
Figure 2.13: Sheep Numbers 1850-1890



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 11.

Quantities of wool exported (figure 2.14) are charted here with a two-year moving average; the purpose of this is to smooth out anomalies that result from the end of the reporting period occurring in the middle of the shipping season. This shows the quantities of wool exports fluctuated around the five million lbs from 1850 to around 1872. After the decline of the late 1850s, the series flattens at a lower range until the recovery begins in the early 1870s.

Figure 2.14: Wool Exports by Weight 1850-1890



Source: Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 7.

The decline in output had several causes. In the long run, there is evidence that, in Tasmania, the land had reached its peak carrying capacity for sheep in 1854; this is the argument used by Fitzpatrick and Brindle, and based on work by Davidson. They point out that, after the decline from 1854, sheep numbers stabilized around the 1859 numbers until into the twentieth century.<sup>81</sup> There is contemporary support for this argument. In 1871, the Inspector of Sheep, James Whyte, former premier and a practical flock master, whose task it was to oversee the implementation of the Scab Act, reported that

...it took a considerable time for many settlers to discover that in proportion to numbers of sheep the wool bales alone were not increased when that increase in numbers went beyond the limits within which sheep could be kept in a healthy condition.<sup>82</sup>

<sup>81</sup> Jamie Kirkpatrick and Kerry Bridle, (eds). *People, Sheep and Nature Conservation: The Tasmanian Experience*, (Collingwood, Vic., 2007), p 21; J Davidson, 'On the Growth of the Sheep Population in Tasmania', *Transactions of the Royal Society of South Australia*, 62, (1938), pp 342-346.

<sup>82</sup> 'Scab in Sheep Act Inspector's Report for 1870-71', *JHA*, XVII, paper 13, (1871), pp 4-9.

Three other problems emerged during the sixties. The flocks were infected with scab disease, caused by a parasitic mite, which bites the sheep and results in fleece damage or loss where the infected animal bites or scratches the skin. Highly contagious, it is more likely to occur where herds suffer nutritional stress, and still occurs in many countries. In Britain it was not eradicated until 1952, but has since become re-established there.<sup>83</sup> A large improvement in productivity was obtained in Tasmania under a series of acts during the seventies and eighties, which introduced compulsory sheep dipping and controls on the movement of sheep. Inspectors were appointed to implement the provisions of the act.<sup>84</sup> By 1874 a sustained improvement in the fleeces had been obtained, with average fleece weights increasing from 3.17lbs to 3.75lbs.<sup>85</sup> Scab was eradicated from the Australian sheep flocks in the nineteenth century, with Tasmania free in 1895.<sup>86</sup>

Liver fluke, caused by the parasite *Fasciola hepatica*, resulted in the death of large numbers of sheep. The parasite has a complex life-cycle, and, although it needs a fresh water snail as an intermediary host, it can survive periods of desiccation in an encysted form. While many mammals (including humans) can become infected, it is particularly dangerous in sheep. In the acute form of the disease, juvenile flukes migrate into the abdominal cavity and through the liver and bile ducts. Death results from blood loss due to haemorrhage in the liver.

Where the disease is not fatal, the damaged liver is vulnerable to infection by the

---

<sup>83</sup> W Stephen Smith, 'History of Agriculture in South Australia: Scab in Sheep', [http://www.pir.sa.gov.au/aghistory/left\\_nav/departement\\_of\\_agriculture\\_programs/pest\\_and\\_disease\\_programs/eradication\\_programs/sheep\\_scab\\_in\\_SA](http://www.pir.sa.gov.au/aghistory/left_nav/departement_of_agriculture_programs/pest_and_disease_programs/eradication_programs/sheep_scab_in_SA), accessed 5 July 2013; 'The Scottish Government: Sheep Scab', <http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/animal-welfare/Diseases/disease/SheepScab>, accessed 5 July 2013.

<sup>84</sup> 'Scab in Sheep Act: Inspector's Report for 1870-71', *JHA*, XVII, paper 13, (1871), p 3.

<sup>85</sup> 'Statistics of Tasmania 1873', *JHA*, XXVII, paper 1, (1874), p xi.

<sup>86</sup> *Mercury*, 20 July 1895, p 3.

*Clostridium novyi* type B bacteria, resulting in black disease, which is quickly fatal. Given the choice, sheep prefer to graze away from marshy pastures, but are most likely to become infected in dry periods following a wet season when they are forced to graze in swampy areas. Modern control methods use chemical drenches and vaccination for black disease, combined with pasture management.<sup>87</sup>

The complex life-cycle of the parasite confused pastoralists, some of whom adopted cures (for example, feeding salt, mercury, dandelion, iron sulphate), all little better than witchcraft. The unpleasant state of the liver of animals which had died of fluke and black disease led to the condition being popularly referred to as 'rot', 'liver rot', or 'English rot'. Pastoralists giving evidence to the parliamentary enquiry of 1869 all knew of someone else's flocks affected by the disease.<sup>88</sup> Everyone understood that some lands were 'flukey' and pastoralists were naturally reluctant to admit to having such lands. The Inspector of Sheep questioned the accuracy of the sheepowners' returns, believing that they understated their losses.<sup>89</sup> By the 1870s, it was recognised that the pastoral expansion of the 1840s had moved sheep onto marshy lands which favoured the life-cycle of the liver fluke. Irrigation systems without proper drainage had been established on sheep country and these created permanent nurseries for the

---

<sup>87</sup> Noel Campbell, Attwood and George Miller, 'Control of Liver Fluke', Victoria, Department of Environment and Primary Industries, AG0072, (2007), unpagged, <http://www.dpi.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-insects/liver-fluke>, accessed 5 July 2013; Boray, Joseph, 'Liver Fluke Disease in Sheep and Cattle', New South Wales Department of Primary Industries, Primefacts 446, (2007), pp 2-10, [http://www.dpi.nsw.gov.au/\\_data/assets/pdf\\_file/0004/114691/liver-fluke-disease-in-sheep-and-cattle.pdf](http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0004/114691/liver-fluke-disease-in-sheep-and-cattle.pdf), accessed 28 March 2014.

<sup>88</sup> 'Royal Commission on Fluke in Sheep: Report', *JHA*, XVIII, paper 43, (1869), pp vii-xii, 2-47.

<sup>89</sup> 'Scab in Sheep Act', Inspector's Report for 1870-71, *LCJ*, XVII, paper 13, (1871), p 5.

parasite. It was estimated that half a million acres of pasture land had been abandoned because of the disease.<sup>90</sup>

During the depression years, farmlands were abandoned. Rabbit numbers increased on the now cleared lands, leading to the destruction of pasture and grazing land. By the 1870s the effects were clearly being felt in the older farmlands used by the pastoral and wheat industries. James Whyte calculated that the loss caused by rabbits, for wool and mutton, would not be less than £50,000 per annum.<sup>91</sup>

The pastoral industry owed its recovery to a combination of increased output with the control of scab and the rising prices in the 1870s. From the 1850s to 1871 the average annual quantity of wool exported was 5,162,000 lbs.<sup>92</sup> From 1872 there was a dramatic and continuing rise in the quantity exported (figure 2.15). Fleeces improved under the Scab Act, and flock numbers increased as farmers took advantage of the rising wool prices to expand. The prices for breeding stock exported to neighbouring colonies rose, the exports of these earning £5,000 more in 1874 than the previous year, although there were 500 fewer animals shipped.<sup>93</sup> Output increased again as farmers turned from the now less profitable agricultural activities to raising sheep and cattle.<sup>94</sup> The problems of liver fluke and rabbits remained unsolved.

---

<sup>90</sup> 'Fluke: Mr Crawford's Report', *JHA*, XXII, paper 49, (1871), unpagged.

<sup>91</sup> 'Scab in Sheep Act: Inspector's Report for 1871', *JHA*, XXIII, paper 23, (1872), pp 8-9.

<sup>92</sup> Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890', (1891), p 7.

<sup>93</sup> 'Inspector of Sheep: Report for 1874', *JHA*, XXVIII, paper 26, (1875), p 5.

<sup>94</sup> 'Statistics of Tasmania 1874', *JHA*, XXVIII, paper 2, (1875), p xix.



Contemporary sources found that, in spite of having higher yields per acre than the other Australian colonies, Tasmanian agriculture was hampered by a shortage of accessible agricultural land and the high costs of clearing new land.<sup>95</sup> Most products other than wool and some export wheat were sold in regional markets. While it would be possible to calculate average Tasmanian prices for produce, this would be meaningless; poor transport away from the waterways meant farmers could only take the price paid in their local market. Wheat prices provide an example. In 1867 wheat prices in the new districts of Westbury and Deloraine were only 5s10d and 4s1d per bushel respectively. If the crop had been sold in Hobart, it would have been worth 8s per bushel. The total loss on the wheat crop in Westbury that year was £12,129.<sup>96</sup>

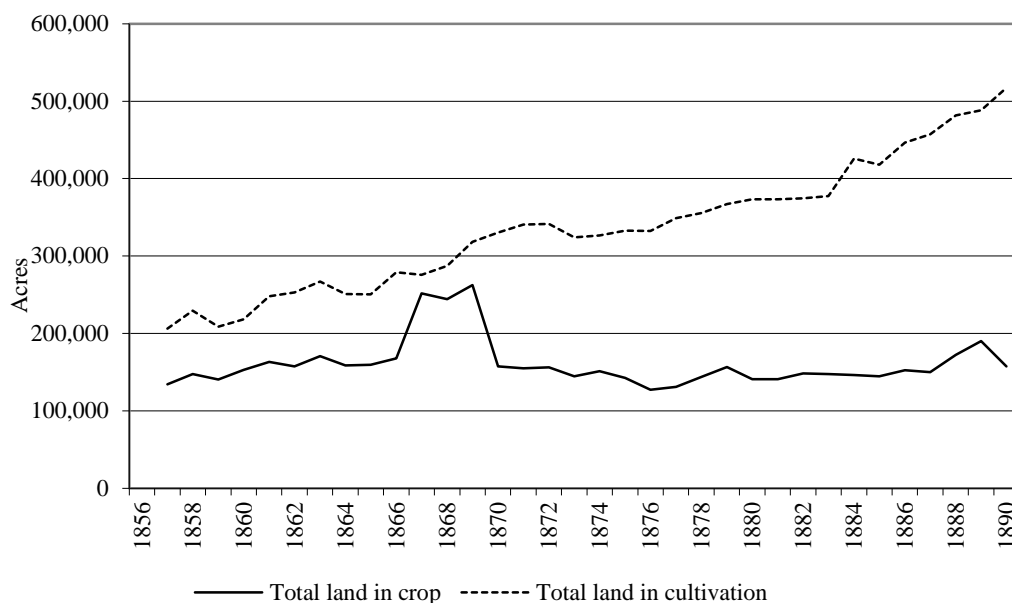
This study examined totals for acres under cultivation and acres in crop (figure 2.15). There was a steady rise in the acreage classified as ‘under cultivation’, while the quantity of land actually in crop barely increased across thirty years. The acreage under ‘Land in crop’ shows a downturn after 1870, the time of the beginning of the pastoral recovery, and this downturn lasted until 1878.

---

<sup>95</sup> ‘Statistics of Tasmania 1874’, *JHA*, XXVIII, paper 2, (1875), p xxi; Robert Crawford, ‘Waste Lands of the Colony: Report by Mr R Crawford’, *JHA*, XVIII, paper 33, (1869), p 66.

<sup>96</sup> ‘Statistics of Tasmania 1867’, *JHA*, XVI, paper 1, (1868), pp xx-xxiii.

Figure 2.15: Land in Cultivation and in Crop 1853-1890



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 10.

Reconciling these two data series presents challenges. When Townsley wrote his article, he had to work from the data tables, and he was hampered by the lack of uniformity and the unreliability of the statistics.<sup>97</sup> Even the farmers and some collectors of statistics did not understand what was meant by the terms on the returns they had to complete.<sup>98</sup> In the confusion, Townsley concluded that there was an increase in land brought under cultivation due to the opening of the districts of Port Sorell and Horton.<sup>99</sup> Comments from the collectors of statistics tell a different story, and suggest that the data series 'Land in crop' gives a truer picture of agriculture during this period.

<sup>97</sup> Townsley, 'Tasmania and the Great Economic Depression', pp 39-40.

<sup>98</sup> 'Statistics of Tasmania 1871', *JHA*, XXIII, (1872), p xx.

<sup>99</sup> Townsley, 'Tasmania and the Great Economic Depression', pp 39-40.

The collector of statistics at Horton (in the north-west) warned that a great deal of land was included under the heading 'New land broken up', which 'would give a delusive appearance of expanding agriculture in the District'. In reality there were no natural grasses, very little artificial grass, the wheat had rust, and farming was 'in a most primitive condition'. It was the 'Land of the cockatoo or peasant farmer'. He regretted the absence of a classification for 'Land formerly cultivated but lapsing into a state of nature' for such a return would surely be large. The district did have one reaping machine but only nine acres could be found suitable for its use.<sup>100</sup> This study accepts that 'Land in crop' gives the realistic picture of agriculture, and that the productive acreage remained substantially unchanged through the depression and well beyond it.

A spike in the series for land in crop appears from 1868 to 1870, but no clear reason for this has been found. Chapter Four will show that in 1867 and 1868, new land legislation was passed, which gave land as an incentive to immigrants, and two agricultural areas were proclaimed, although these did not result in immediate settlement. Whatever happened, the expansion was only temporary.

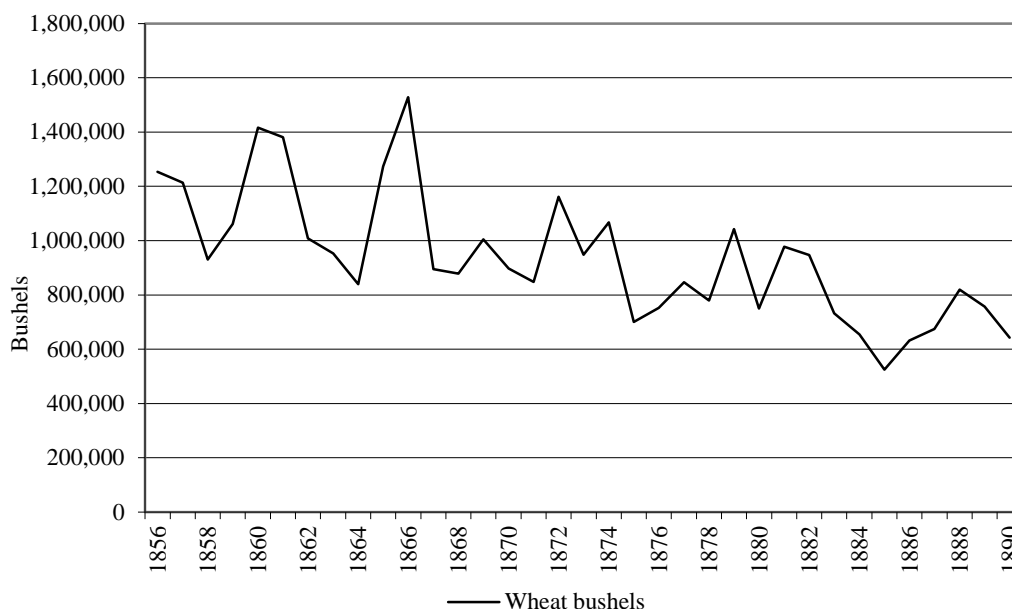
Wheat production is shown in figure 2.16. The wheat industry was in a decline from which there would be no recovery. By 1873, South Australia, Victoria and New South Wales were all producing more wheat than Tasmania.<sup>101</sup> With less land suitable for wheat and growing the old rust-prone wheat varieties, Tasmanian wheat growers were no longer competitive.

---

<sup>100</sup> 'Reports, or Extracts from the Reports, of Collectors of Agricultural Statistics 1871-2: Statistics of Tasmania 1871', *JHA*, XXIII, paper 2, (1872), pp 187-8.

<sup>101</sup> 'Australasian Statistics, 1874', *LCJ*, XXIII, paper 2, (1876), pp 4-5.

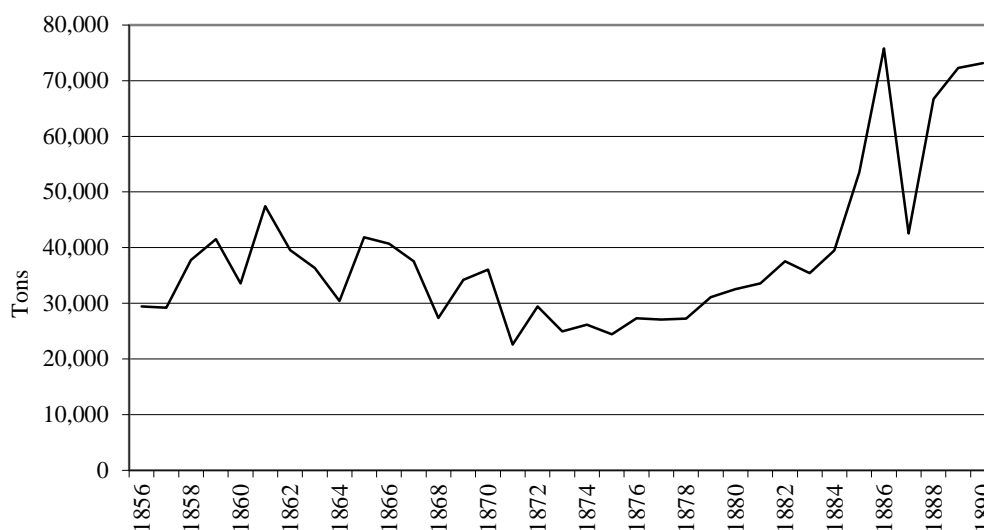
Figure 2.16: Wheat Production 1856-1890



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 10.

Potato production is shown in figure 2.17. Although potatoes eventually became one of Tasmania's important agricultural products, during the sixties and early seventies potato production declined and did not recover until the mid-1870s. Some of the changes in the industry have been discussed in the previous section and this will be examined again in Chapters Three and Four, when the results from the Waste Lands Acts are discussed.

Figure 2.17: Potato Production 1856-1890



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 11.

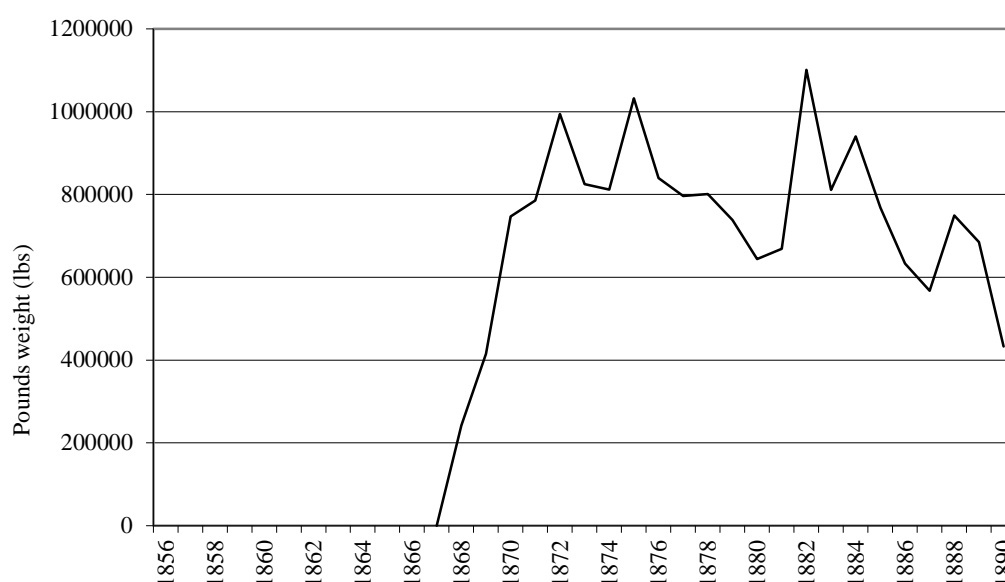
There is evidence to show that Tasmanian producers were having difficulty adjusting to the free market economy. In 1858, Tasmanian potato growers, finding prices on the Melbourne markets did not meet their expectations, withheld their crops in order to force the price up. The plan failed when the Melbourne buyers imported potatoes from the Chatham Islands and New Zealand.<sup>102</sup> This strategy may have worked quite well when producers were selling to a limited local market and were sure of the Commissariat market, but they risked being closed out of the Melbourne market entirely by this behaviour.

It is no coincidence that two new industries emerged at the height of the depression when working men were emigrating. Hop growing, fruit preserving and jam making made extensive use of the labour of women and children. The

<sup>102</sup> 'Our Potato Crops', *Hobart Town Daily Mercury*, 10 July 1858, p 3.

hop industry came into production at the height of the depression in 1866 (figure 2.18) and by 1870 hops in the New Norfolk region, an old farming district, gave employment to over 1,800 persons, men, women and children. The new industry nearly foundered in that year. Poor prices and the intercolonial tariffs led some growers to grub out their hop bushes. The collector of statistics for the New Norfolk district feared that ‘many hundreds of the poorer classes’ would be thrown out of work.<sup>103</sup> In spite of a downturn in 1873, the industry survived the depression.

Figure 2.18: Hop Production 1856-1890.



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 11.

Production from fruit orchards was poorly recorded at this time.<sup>104</sup> The previous section showed that there was sufficient fruit to establish jam manufacturing. The

<sup>103</sup> 'Reports, or Extracts from Reports, of the Collectors of Statistics, Statistics of Tasmania 1870', *JHA*, XXI, (1871), p 194.

<sup>104</sup> 'Reports, or Extracts from Reports, of Collectors of Agricultural Statistics, 1870', *JHA*, XXI, (1871), p 193.

jam and fruit preserving industries developed in the worst years of the depression, operations commencing in 1863 at George Peacock's factory in Hobart.<sup>105</sup> By 1873 he employed about sixty men and boys at the factory and fifty of these jobs lasted a year long. When Peacock opened a factory in Sydney in the 1880s, he avoided the tariffs imposed on imported Tasmanian fruit, by importing Tasmanian apple and pear pulp, which were exempt.<sup>106</sup>

Livestock production had been in decline for many years. The numbers of pigs and cattle both rose generally during the depression years, but for years the government contracts for meat for the convict establishments and the military in Tasmania, as well as the private butchers in Hobart, had been supplied from Victoria.<sup>107</sup> Landholders giving evidence to the select committee on the agricultural and pastoral depression in 1868 differed over what should be done about this. Some thought Tasmania was incapable of producing its own meat requirements; others argued for a tariff on livestock imported for slaughter. Producers again demonstrated they were having difficulty with the free market economy; several reported they had brought stock home unsold rather than take market price lowered by the arrival of a shipload of cheap imports.<sup>108</sup> The deliberations of the committee resulted, as often in the nineteenth century parliament, in no action. The long term consequences were evident in the continuing decline in local production. Some form of protective tariff would at

---

<sup>105</sup> Coad, *Port Cygnet*, pp 38-41.

<sup>106</sup> L L Robson, *A History of Tasmania: Volume II, Colony and State from 1856 to the 1890s*, (Melbourne, 1990), p 272-3.

<sup>107</sup> 'Statistical Summary for Tasmania, from 1816 to 1890,' p 6; 'Scab in Sheep Act: Inspector's Report for 1870-71', *LCJ*, XVII, (1871), paper 13, pp 6-7.

<sup>108</sup> 'Select Committee on Agricultural and Pastoral Depression', pp 5-8.

least have ensured local farmers were producing under similar terms to those in Victoria.

## **Building and manufacturing**

During the depression the building industry declined. Housing occupancy rates fell, with one in every eighteen buildings being unoccupied in 1861. By 1870 this had risen to almost one in every ten.<sup>109</sup> By 1881, at just better than one in fifteen,<sup>110</sup> housing occupancy had almost returned to the figure of 1861. Linge reported that demand for new residential construction fell with the population decline and he argued that demolition exceeded construction in brick and stone dwellings in the 1870s.<sup>111</sup> A note to the statistics casts doubt on this conclusion because of the failure of more than 600 country residents to supply the description of their dwelling. There is other evidence for a stronger housing market in the 1870s, with an increase in the number of inhabited houses.<sup>112</sup>

Another feature of housing in the decade of the 1870s is the rise in the number of canvas dwellings and bark huts, from 99 such in 1870, to 1,177 by 1880. This probably reflects the temporary nature of the new mining settlements, particularly those occupied by small operators and individual prospectors. Tin mining started in 1874 at Mount Bischoff in the north-west, and the following year in the north-east. This is discussed later in Chapters Six and Seven.

---

<sup>109</sup> 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), p xi.

<sup>110</sup> Calculated from Statistics of Tasmania 1881, *JHA*, XLIV, part 1, (1883), p 57.

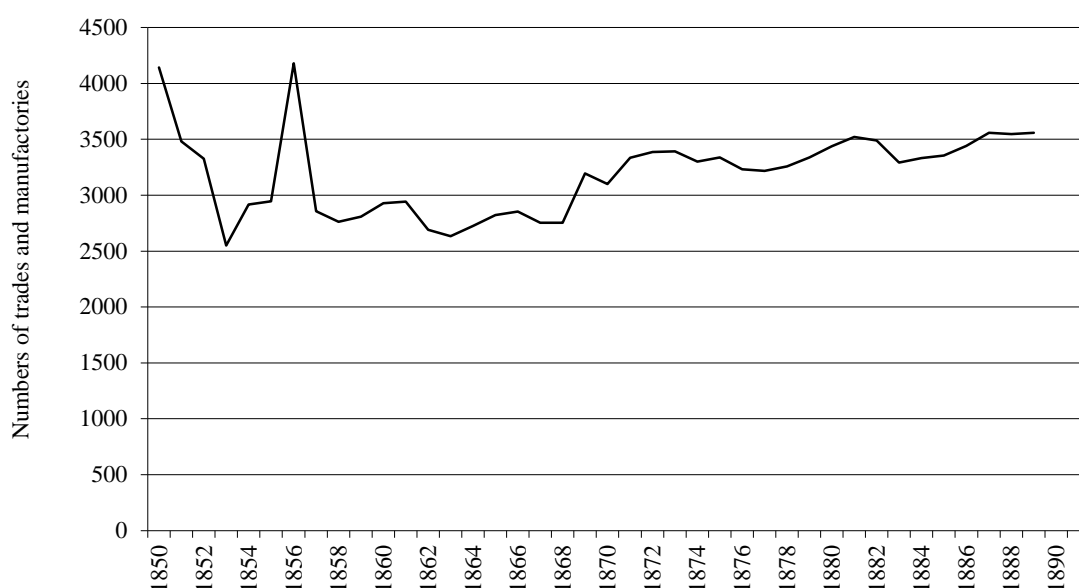
<sup>111</sup> Linge, *Industrial Awakening*, p 633.

<sup>112</sup> 'Statistics of Tasmania 1882', *JHA*, XLIV, part 1, (1883), p 57.



Along with building, manufacturing was also in decline. This study charted the decline in the numbers of trades and manufactories (figure 2.19) and found a short-lived boom during the Victorian gold rush, followed by a trough from 1857 to 1869, with the upswing beginning in 1870.

Figure 2.19: Number of Trades and Manufactories 1850-1890



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 11.

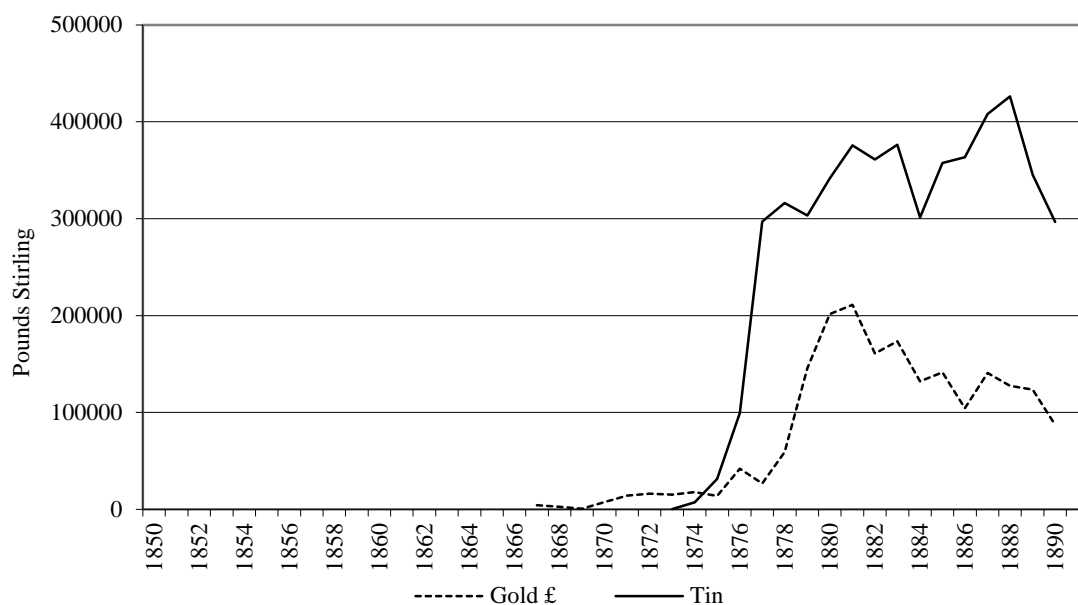
A more detailed picture of manufacturing decline is to be found in the work of Linge, who examined the failure of the early industries, ship building, metal-working, and flour-milling.<sup>113</sup> Although Linge recognised that labour shortage and increasing costs contributed to the shipbuilding decline, more significant factors were the large increase in the numbers of foreign vessels trading in Australian waters, the rise of larger mainland companies building steam ships, and the

<sup>113</sup> Linge, *Industrial Awakening*, pp 118-35, 633-62.

decline in whaling. Additionally, Tasmania's small shipyards were poorly organised.<sup>114</sup> Tasmania's successful early metal-working industry supplied the local shipbuilding, and declined with it.<sup>115</sup>

Townsley claimed the mineral discoveries in 1871 contributed to the recovery, but charting the values of mineral exports shows that combined output from tin and gold only exceeded £50,000 by 1875 (figure 2.20). This study accepts Linge's opinion that the significance in 1871 of the mineral discoveries lay in the boost they gave to confidence in the future of the colony.<sup>116</sup>

Figure 2.20: Mineral Exports 1850-1890



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 7.

<sup>114</sup> Linge, *Industrial Awakening*, p 656.

<sup>115</sup> Linge, *Industrial Awakening*, pp 125-7.

<sup>116</sup> Linge, *Industrial Awakening*, pp 650-1.

Although gold had been contributing to the export economy from 1868, it was not until 1878 that the export value of gold rose over £50,000. Tin was discovered in 1871, but there was no output until 1873 when only 4 tons of ore were exported. It was not until 1875 that furnaces for reducing the ore came into operation in Launceston, and output rose rapidly thereafter. In 1876, the value of smelted tin exports passed £50,000.<sup>117</sup> It is therefore reasonable to conclude that mining strengthened a recovery already underway. As discussed in the section on population, mining contributed to the increase in immigration from the mid-seventies.

The section has shown that causes of productivity declines were varied, and were not uniformly the result of labour shortages or high costs, although these were contributing factors in the fall in demand for residential housing and in the ship building decline. Pastoral decline resulted from husbandry issues, but the program to eradicate scab disease improved fleece yields in the early seventies. Agriculture stagnated in the face of the high costs of clearing new lands, lack of markets and transport, and the loss in cultivation as farmers switched from grain growing to wool to take advantage of the wool boom in the seventies. New agricultural industries, growing hops and fruit, and jam-making, emerged to make their first substantial contribution to the economy during in the mid-1870s.

---

<sup>117</sup> 'Statistics of Tasmania 1875', *LCJ*, XXIII, paper 1, (1876), p xi.

## Finance

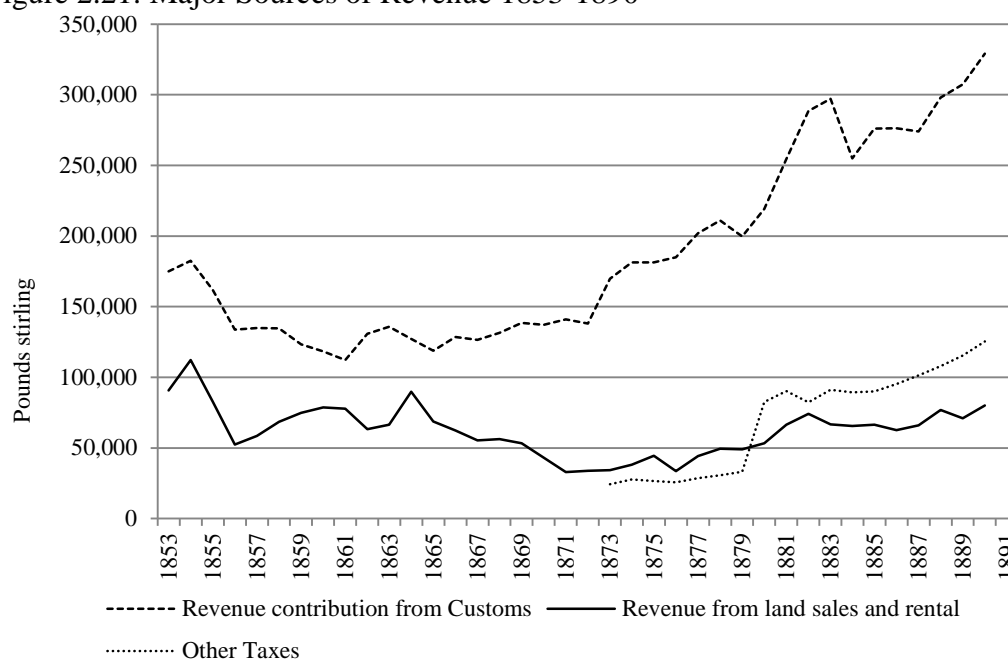
This section seeks to find out why Tasmania's financial direction was different from that of the rest of Australia. It will first examine government finance, which offers some explanations about the depression. Understanding the world of private finance is difficult because of the scarcity and inconsistency of information. There are few banking records, and, according to S Butlin, the Tasmanian banks were 'highly secretive, conservative organisations', which never volunteered information to the public.<sup>118</sup> However, some trends are clear. This study has considered bank holdings in coin and bullion, bankruptcies, the rise of the savings banks, and methods of financing the small farms.

Only the major sources of government revenue have been charted in order to clarify the problems with government funding (figure 2.21). Commissariat expenditure and income from railways, which only developed after 1872, are not included.

---

<sup>118</sup> Butlin, *The Australian Monetary System*, p 20.

Figure 2.21: Major Sources of Revenue 1853-1890



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 8.

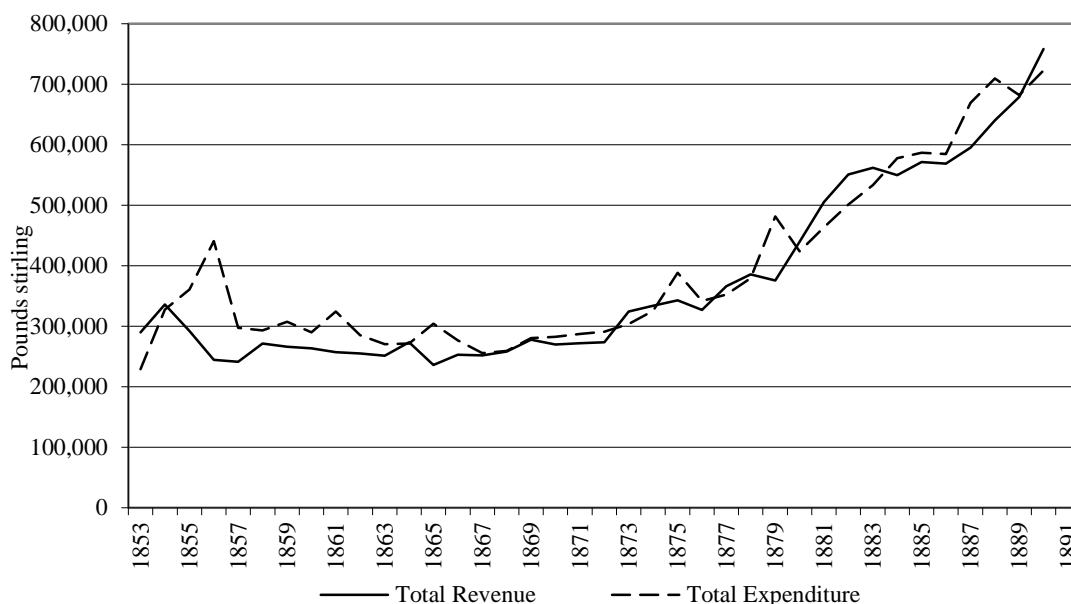
Total revenue declined from the mid-1850s. At its lowest point in 1865, government revenue was worth just £236,044. Customs revenue consistently supplied from forty-five to fifty-five per cent of the total until the 1880s, which explains why a population consuming goods on which they paid taxes was so important to the Tasmanian government. Revenue from land (includes sales and rental) never exceeded customs revenue. In 1859, the year following the first of the Waste Lands Acts, it contributed twenty-nine per cent of the total revenue; in 1864 it made up thirty-two per cent. As the economy diversified, land revenue gradually lost its importance, making just ten per cent of the revenue in 1890.<sup>119</sup> The increase in revenue from 1872 was the result of rises in customs revenue and

<sup>119</sup> Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890,' pp 8, 10.

the introduction of new charges. These new charges include charges for the expanding post office and telegraph services, as well as income from the railways.

Government expenditure continually exceeded revenue from 1854 to 1873 (figure 2.22). From 1857, the shortfall was funded by the issue of government debentures. There was nothing unusual about this; what was different was Tasmania's inability to pay the interest on the early debentures when this fell due. Parliament solved the problem by issuing more debentures. Most of the expenditure during the sixties and early seventies went on running the government. Projects such as the assisted immigration in the late 1850s had to be funded by the issue of debentures.

Figure 2.22: Revenue and Expenditure 1853-1890



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 8.

During the fifties and sixties, before Tasmania entered the London money market, debentures were sold locally, and most were sold, not to the gentry, but to

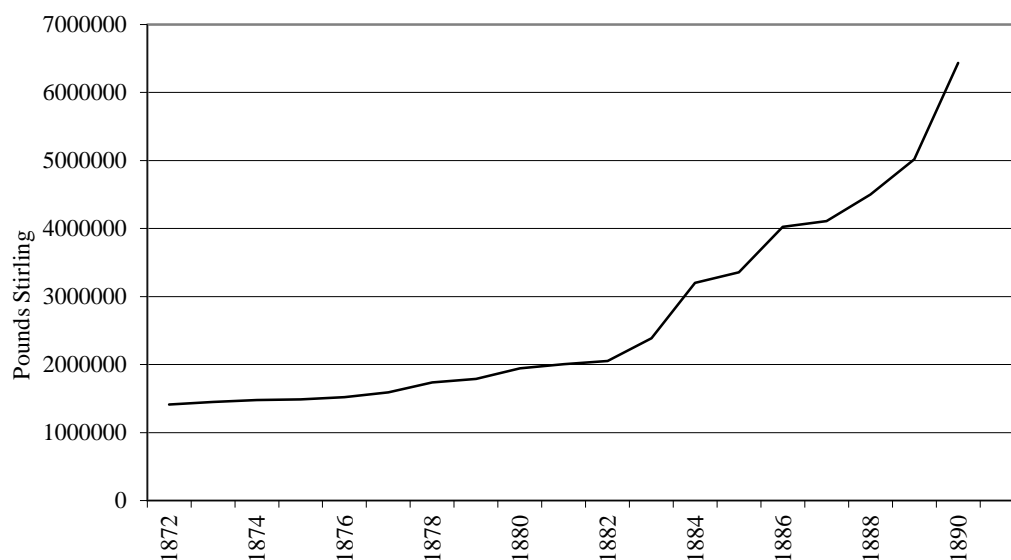
businessmen associated with Henry Hopkins. Few of the names of the great pastoral families appear on the lists of debenture holders between 1861 and 1865, but pastoralists Edward Dumaesq (the surveyor turned squatter) and John Whitehead (MHA for Morven in the north) made token purchases. Around forty per cent of all debentures sold went to Hobart wool merchant, Henry Hopkins, or his associates. Hopkins himself, his son-in-law William Rout and treasurer T D Chapman combined to purchase as one buying group on several occasions, and Chapman invested thousands individually.<sup>120</sup> These were entrepreneurs, people prepared to take a risk on the chance of the country becoming profitable, and willing to invest in the country's future. Only T D Chapman was in parliament.

Between issuing debentures to fund government operations and borrowing for railways and works projects, public debt increased as the government invested in works programs after 1880 (figure 2.23).

---

<sup>120</sup> 'Return of Debentures Issued during 1861, 1862, 1863 and 1864', *JHA*, XI, paper 42, (1864), pp 3-6; 'Debentures', *JHA*, XII, paper 1, (1865), p 4.

Figure 2.23: Tasmania Public Debt 1872-1890

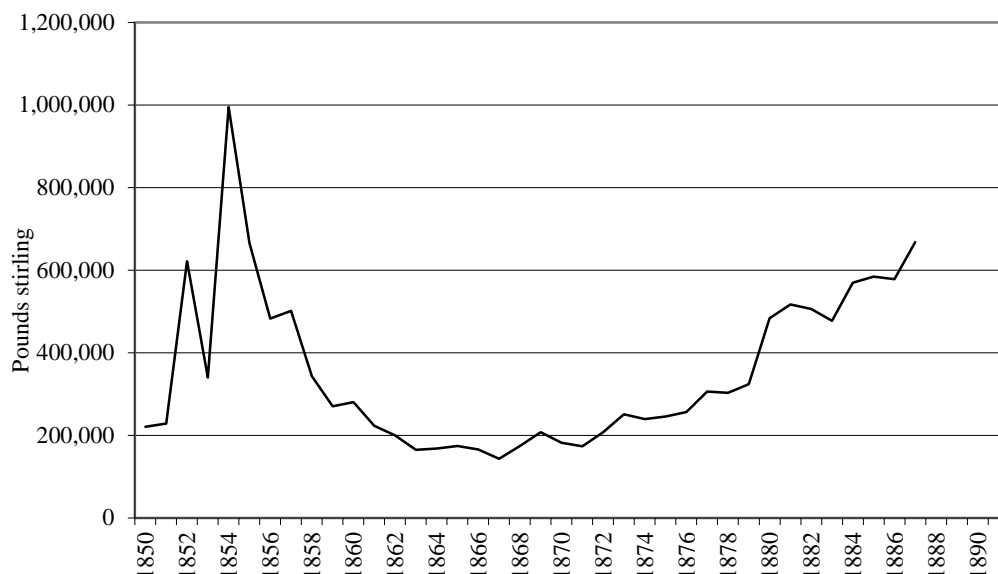


Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 8.

In the world of private finance, holdings of coin in Tasmanian banks (figure 2.24) increased in the years immediately following the gold rush, with the five Tasmanian banks holding almost £1 million in 1854.



Figure 2.24: Tasmanian Banks Value of Holdings of Coin 1850-1890



Source: Data from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 9.

Some of this is accounted for by the rise in demand and prices for Tasmanian produce in the Melbourne markets. But many Tasmanians who went to the gold rush also made money, although few were as successful as pastoralist James Whyte, who made a fortune when gold was discovered on a Victorian property in which he was a partner. On his return to Tasmania, he entered politics, as the member for Pembroke, and was one of the original owners of the *Tasmanian Daily News*.<sup>121</sup> Many of the tenant farmers from the Van Diemen's Land Company joined the gold rush. The successful ones (about one third) made between £150 and £300; another one third covered expenses, and almost all

<sup>121</sup> Neil Smith, 'Whyte, James (1820–1882)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/whyte-james-4847/text8093>, published in hardcopy 1976, accessed online 4 April 2013.

returned in time for the boom harvest of 1852.<sup>122</sup> While this was not a fortune, it was enough to enable tenants to buy a small farm.

Two years later the value of coin in the banks had halved, and it halved again between 1856 and 1859. The depression trough in this series occurs from 1862 to 1872, and although recovery was then steady, the levels of the gold rush days had still not returned thirty years later. By comparison, bank deposits in Victoria increased tenfold in the decade from 1851 to 1861.<sup>123</sup>

A number of factors contributed to the decline in 1857 and 1858. From the discussion on trade it can be seen that export values declined, falling short of the values of imports in 1857 and 1858 by some £87,000 and £119,000 respectively. Commissariat expenditure fell. In 1857 and 1858 it was worth £97,307 and £109,070 less respectively than it had been in 1855. The first of the Waste Lands Acts was passed in 1858, opening up lands for sale and selection, and the immediate result was a (Tasmanian sized) rush to buy land. Colonists spent just over £58,000 on land sales and rental in 1857, and £68,500 in 1858.<sup>124</sup> The money had to come from somewhere. Emigrants who did not propose to return would also have taken their money, but there are no sources to indicate what funds they took with them.

---

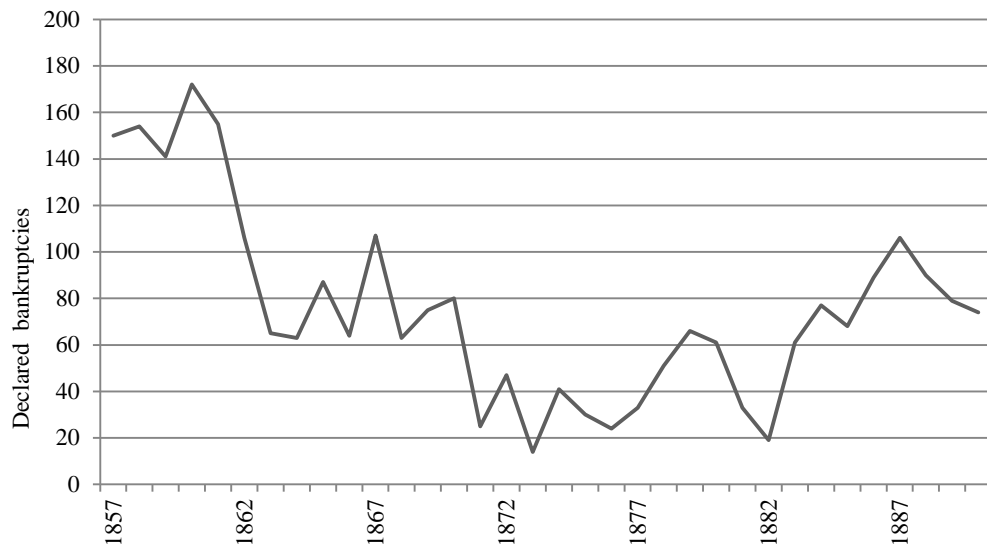
<sup>122</sup> H J W Stokes, , 'The Settlement and Development of the Van Diemen's Land Company's Grants in North-Western Van Diemen's Land, 1824-1860', B A Hons thesis, University of Tasmania, 1964, p 61.

<sup>123</sup> Butlin, *The Australian Monetary System*, p 8.

<sup>124</sup> 'Statistical Summary for Tasmania, from 1816 to 1890', p 10.

There were no bank failures during this depression and numbers of personal bankruptcies actually fell; see figure 2.25.

Figure 2.25: Numbers Declared Bankrupt



Source: Statistics of Tasmania for 1866, *JHA*, XV, paper 1, (1867), p 123; for 1878, *JHA*, XXXVI, paper 1, p 190; for 1890, *TJPP*, XXIV, paper 150, (1891), p 255.

This chart really represents two series. Prior to 1871, bankruptcies were administered under *The Insolvent Estates Act* of 1839 (3 Vict no 1) and the ensuing amendments.<sup>125</sup> *The Bankruptcy Act of 1871* altered the way bankruptcies were administered and lowered the amount of debt at which bankruptcy could be declared.<sup>126</sup> Under section XVII of the act of 1839, bankruptcy could be declared when a debtor was unable to meet a debt of not less than £50 owed to a single creditor, or debts not less than £75 owed to two creditors, or not less than £100

<sup>125</sup> *The Insolvent Estates Amendment Acts Nos 1, 2, 3 and 4.* (7 Vict no 11, 15 Vict no 2, 20 Vict no 12, 23 Vict no 25).

<sup>126</sup> *The Bankruptcy Act 1870*, 34 Vict no 32.

owed to three or more creditors. The *Bankruptcy Act of 1871* reduced the amount to £50 regardless of the numbers of creditors.<sup>127</sup>

It is worth noting here that, during the nineteenth century, bankruptcy law was in a state of transition and the principles guiding Australian bankruptcy law were still being worked out. When a debtor is reduced to a hopeless financial situation in modern Australia, the law enables either the debtor or creditors to take action that provides relief for the debtor (unless guilty of improper conduct of his financial affairs) and provides for the equitable distribution of the assets among creditors.<sup>128</sup>

In the nineteenth century, the tensions between the older practice of imprisoning persons who were bankrupt and the practice of granting a debtor a discharge (upon conditions) that emerged in the eighteenth century were evident in the legislation of Van Diemen's Land.<sup>129</sup> Although *The Insolvent Estates Act* recognised that 'great hardship is frequently suffered by poor persons in consequence of imprisonment for debts to a small amount without producing thereby any adequate benefit thereby to their creditors...', three of the four amendments which followed it were concerned with regulating the procedures under which bankrupt persons could be arrested and imprisoned.<sup>130</sup>

---

<sup>127</sup> 34 Vict no 32, s 5.

<sup>128</sup> Dennis Rose, *Lewis' Australian Bankruptcy Law*, 11<sup>th</sup> ed, (Sydney, 1999), p 1.

<sup>129</sup> For a history of English bankruptcy law, see Rose, *Lewis' Australian Bankruptcy Law*, pp 8-19.

<sup>130</sup> 3 Vict no 1, II; *The Insolvent Estates Amendment Acts Nos 1, 3 and 4*. (7 Vict no 11, 20 Vict no 12, 23 Vict no 25). The fourth of these amendments also regulated payment to bankruptcy commissioners and the behaviour of commissioners and assignees of the estates.

Britain consolidated and amended its insolvency legislation with the *Bankruptcy Act 1869* and Tasmania followed with its *Bankruptcy Act of 1871*. Under the new legislation, bankruptcy could be declared in Britain when debts were not less than £300.<sup>131</sup> It might appear that, by comparison, the law in Tasmania was relatively harsh in permitting debts of only £50, but this was in line with the Victorian legislation of the time.<sup>132</sup>

With the lowering of the debt level at which bankruptcy could be declared, numbers of bankruptcies would be expected to rise, but, as figure 2.25 shows, they had been falling for some years and fell again immediately after the introduction of the new legislation. The government statistician, E C Nowell, noted that the decline came about in the area of voluntary liquidations (liquidation by arrangement). He attributed this to the ‘more stringent character of the act now in force’.<sup>133</sup>

Numbers of bankrupts remained low in the early 1870s. They rose sharply in 1877 but the government statistician offered no explanation for this.<sup>134</sup> The late seventies were a time of intense mining speculation in Tasmania.<sup>135</sup> It is probable that the increase in bankruptcies resulted from the pursuit of high risk investments.

---

<sup>131</sup> Great Britain, 32 & 33 Vic, c 71; Rose, *Australian Bankruptcy Law*, pp 17-9.

<sup>132</sup> *Insolvency Statute 1871*. Victoria. 34 Vict no CCCLXXIX, Part IV, s 37.

<sup>133</sup> ‘Statistics of Tasmania 1871’, *JHA*, XXIII, paper 2, (1872), p xvii.

<sup>134</sup> ‘Statistics of Tasmania 1878’, *JHA*, XXXVI, paper 1, (1879), p xxv.

<sup>135</sup> ‘Tasmania as Others See It’, *Cornwall Chronicle*, 6 March 1876, p 3; *Launceston Examiner*, 19 December 1878, p 2.

The small numbers of actual bankruptcies mask the very real challenges faced by both banks and business. In 1864 there were two significant bankruptcies. Hobart wool merchant and parliamentarian, T D Chapman, was declared bankrupt in June and had to resign from parliament.<sup>136</sup> This caused a loss of business confidence, and within days, there was a run on the Hobart Savings Bank. The *Mercury* feared the money withdrawn would only be spent on drink and begged depositors to 'desist from the present foolish run'. Fortunately, the Bank had sufficient available funds to meet the demands made upon it.<sup>137</sup> The following month, businessman Alexander McNaughtan was declared bankrupt.<sup>138</sup>

The Launceston Bank for Savings teetered on the brink of insolvency several times during the sixties. Established in 1835, a decade before the Hobart Savings Bank, it had lent funds unwisely during the boom years of the fifties. Petrow found the bank had relied on risky property ventures mainly because of a lack of safer investment alternatives.<sup>139</sup> In the sixties, its deposits fell, and its director, Henry Dowling, became the target of a personal attack led by Dr Browne, an evangelist who campaigned for the establishment of post office savings banks. Browne's campaigns did not result in the establishment of savings banks, but did create difficulties for Dowling, who stepped aside in favour of a management committee.<sup>140</sup> The bank also found itself with inadequate reserves and unable to terminate a number of unprofitable mortgages without incurring capital losses it

---

<sup>136</sup> *Mercury*, 2 June 1864 p 2.

<sup>137</sup> *Mercury*, 14 June 1864, p 2, 23 June 1864, p 2.

<sup>138</sup> *Cornwall Chronicle*, 16 July 1864, p 1.

<sup>139</sup> S Petrow, 'Boom, Slump and Bust: Banks in Nineteenth Century Launceston', *Launceston Historical Society Papers and Proceedings*, 18, p 80.

<sup>140</sup> Butlin, *The Australian Monetary System*, pp 79-81; Beever, *Launceston Bank for Savings*, pp 74-6.

could not afford. It survived, restructured, and then expanded as the economy improved in the seventies and Launceston became the centre of the mining boom.<sup>141</sup>

The small farmer who wanted finance did not go to a bank, but relied on various sources of private funding. In the forties and fifties, the Van Diemen's Land Company had financed its tenants through its credit terms for purchase and its guaranteed prices.<sup>142</sup> Tenants on the Bisdee family estates could obtain cash advances from their landlords. In 1857, the Bissees charged nine per cent at three months on these loans.<sup>143</sup>

After the passing of the *Waste Lands Act 1858*, the storekeepers supplied credit, usually for payment in kind. The stores supplied provisions, equipment, and some even paid the instalments on the land. The selector paid with timber or produce from his selection.<sup>144</sup> The practice was risky for both parties. There was never any certainty of a return in farming, and no guarantee that prices would ensure a profitable return. In spite of this, Stokes reported that there appeared to be very little animosity between storekeepers and selectors in the north-west.<sup>145</sup>

Could things have been different? One of Tasmania's ongoing problems has always been a lack of capital. In Van Diemen's Land, this hardly mattered.

---

<sup>141</sup> Beever, *Launceston Bank for Savings*, pp 72-6.

<sup>142</sup> Stokes, 'The Settlement and Development of the Van Diemen's Land Company's Grants', p 41.

<sup>143</sup> Farm Account Book of John Bisdee and others, 1 March 1857 – 30 June 1898, NS2354/1/1, TAHO, unpagged.

<sup>144</sup> H J W Stokes, 'North-West Tasmania 1858-1910: The Establishment of an Agricultural Community', PhD thesis, Australian National University, 1969, p 52-3.

<sup>145</sup> Stokes, 'North-West Tasmania', p 53.

Hartwell thought there was little need for expensive capital equipment; mercantile capital was needed primarily to tide the colony over between harvests. Britain contributed over £4 million in the twenty seven years between 1822 and 1849, and this provided the infrastructure and public buildings.<sup>146</sup> The convict system also provided salaries and stipends for those who administered the system, guaranteed the commissariat market for local goods and services to maintain the convicts and military, and labour for the development of public works. Van Diemen's Land society was thus able to gain the benefit of labour for which it had not paid.

It is worth noting here that Reynolds thought these factors made Van Diemen's Land and New South Wales 'quite exceptional' among the British colonies by providing these small settler societies with large capital works projects and with populations of salaried bureaucrats who could afford a wide range of consumer goods and services.<sup>147</sup> New South Wales and Van Diemen's Land had become prosperous on the wool industry, which depended on the convict built roads and port infrastructure. Even after the discovery of gold, the convict built infrastructure provided a distinct advantage. In New South Wales, the hinterland was opened with the convict built road over the Blue Mountains.<sup>148</sup> When gold was discovered there in 1857, prospectors and immigrants had a comparatively easy road in to the goldfields around and beyond Bathurst on this convict highway. Comparison with New Zealand and Queensland illustrates the differences. When gold was discovered just five years later in the Otago Province of New Zealand, there were no roads to service the new industry. Many

---

<sup>146</sup> Hartwell, *Economic Development*, pp 102-3.

<sup>147</sup> Henry Reynolds, *A History of Tasmania*, (Melbourne, 2012), pp 141-2.

<sup>148</sup> *Sydney Gazette and New South Wales Advertiser*, 14 July 1814, p 1.



prospectors suffered extreme hardship in dense rainforest, and the Tasmanian government sent two ships to bring back failed Tasmanian prospectors.<sup>149</sup> Among the Australian colonies, Queensland embarked early on a program of extensive public works to provide infrastructure using borrowed funds, with disastrous consequences when its lender became bankrupt in 1867. The government was saved by the discovery of gold.<sup>150</sup>

Van Diemen's Land had been a powerhouse for private capital formation; it helped create the fortunes of some of the great Australian squatters, pastoralists such as W J T Clarke, at one time Australia's richest man; Edward Dumaresq, the former surveyor with estates in four colonies; and Edward Willis, who worked his father's farm in Campbell Town and went on to become one of the founders of Geelong.<sup>151</sup> But Tasmania was slowly bled of capital and profits. Its banks did not pay interest on deposits from 1844 to 1864, with the result that capital was invested in Melbourne, where it could earn six per cent.<sup>152</sup> Those emigrating took their money, absentee landlords drained away profits, and Britain reduced its investment with the end of transportation.

---

<sup>149</sup> Kellaway, 'Tasmania and the Otago Gold Rush', pp 213-29.

<sup>150</sup> Butlin, *The Australian Monetary System*, pp 57-60.

<sup>151</sup> For Clarke, see Hugh Anderson, 'Clarke, William John (1805–1874)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/clarke-william-john-1902/text2247>, 1966, accessed online 7 April 2014. For Dumaresq, see Chapter One. For Willis, see J Ann Hone, 'Willis, Edward (1816–1895)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/willis-edward-4860/text8119>, 1976, accessed online 2 November 2013.

<sup>152</sup> S J Butlin, *The Australian Monetary System*, p 327. Butlin did not provide precise references for his sources here. Nothing has been found in the legislation to suggest this policy was forced on the banks.

After self-government, the need for capital changed, as the new Australian governments invested in infrastructure. Noel Butlin demonstrated that the other colonies (Tasmania is not mentioned) built up a store of public capital through the development of communications and transport infrastructure and this was fundamental to their later growth and prosperity.<sup>153</sup> This was delayed in Tasmania, partly due to the geographical limitations of the Island. Tasmania had few natural resources on which to develop manufacturing industries, and the type of pastoral expansion described by Noel Butlin that took place in the 1870s was just not possible in Tasmania where the most suitable pastoral land had long been occupied.<sup>154</sup>

Geographical limitations were not the sole reason for the problem. Felmingham recognised that capital is always scarce in Tasmania, but he also blamed the Legislative Council for some of the depression problems. The Council used its power to veto money bills in parliament and so prevented all attempts to widen the taxation base. This left the government unable to improve conditions in Tasmania.<sup>155</sup> Much of the wealth of the colony was in the hands of the colonists, mostly pastoralists, who had arrived before 1830.<sup>156</sup> The failure of successive Tasmanian governments to generate revenue by widening the taxation base meant there were insufficient public funds available for developmental projects such as construction of roads into the new districts being settled under the Waste Lands

---

<sup>153</sup> Butlin, *Investment in Australian Economic Development*, pp 3-7.

<sup>154</sup> Linge, *Industrial Awakening*, p 124; Butlin, *Investment in Australian Economic Development*, pp 4-5, 35-6.

<sup>155</sup> B Felmingham, 'Economy', in A Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, 2005), pp 421-2.

<sup>156</sup> H Reynolds, 'Men of Substance and Deservedly Good Repute - Tasmanian Gentry 1856-1875', *Australian Journal of Politics and History*, 15, no 3, (1969), p 61.

Acts. As the discussion below shows, this failure to increase revenue by taxing the only significant income-generating industry until the 1880s must be considered a major policy error that prolonged the depression.

This failure delayed public capital formation in even basic services for probably three decades. Davidson argued that the formation of municipal corporations in Tasmania was slower than in mainland colonies, and, in 1875, Tasmania was one of the few British colonies to have no legislation or organisation to protect public health.<sup>157</sup> Of Tasmania's two main towns, Hobart and Launceston, it was the smaller, Launceston, which was more progressive in establishing municipal water supply and sewerage systems. Launceston commenced work on the water supply in the 1850s, and on the sewerage system in the 1860s. Hobart suffered periodic outbreaks of typhoid fever before commencing work on a sewerage system forty years after Launceston. Petrow argued that Launceston had always been neglected by the government in Hobart, and that this neglect stimulated local action.<sup>158</sup> Although it was recognised in the 1860s that lack of transport was delaying the opening up of new lands and adding to the hardship of farmers, it was not until the beginning of the 1870s that effective action was taken to build railways.<sup>159</sup> Petrow noted that success was achieved by the Tasmanian government borrowing funds and taking on projects when private companies faltered.<sup>160</sup>

---

<sup>157</sup> G Davidson, 'Urbanisation', in A Alexander, (ed), *The Companion to Tasmanian History*, p 493.

<sup>158</sup> S Petrow, 'Municipal Heaven: Launceston 1853-1914', *Launceston Historical Society Papers and Proceedings*, 15, pp 16-25.

<sup>159</sup> 'Crown Lands Reports', *JHA*, XI, paper 19, (1864), pp 4-34.

<sup>160</sup> S Petrow, 'The State', in A Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, 2005), p 485.

Tasmania's misfortune was to have the convict-built highway and roads constructed through a sheep farm, and, while these roads helped ensure the development and continued existence of the pastoral industry, they provided no access into the areas being opened up for farming under the Waste Lands Acts. As settlement and exploration expanded into two of these areas, the north-west and north-east of Tasmania, the rich mineral lands were discovered. Later chapters will show how both mining and farming struggled because of the lack of investment in public infrastructure. In 1857 the economy was doomed to stagnation unless the new government invested in communications infrastructure and set about exploring opportunities for new industries. Later chapters will show that, instead, many ministries embarked on programs of retrenchment.

The Tasmanian government lost early opportunities to develop the economy. In 1860, the Geological Surveyor, Charles Gould, reported finding tin-bearing ore in north-east Tasmania, but the government did not recognise the significance of this and it was not until 1875 that mining commenced there. This is discussed further in Chapter Seven. Glyn Roberts pointed out that, in 1882, the tin mines of the north-east produced forty-seven per cent of Tasmania's tin and, before World War One, output there often exceeded that of Mount Bischoff in the north-west. The Tasmanian government compounded this oversight by not renewing Gould's contract in 1869. From that time, there was no public servant with the expertise necessary to provide assistance in development of mining.<sup>161</sup>

---

<sup>161</sup> Glyn Roberts, *Metal Mining in Tasmania 1804-1914: How Government Helped Shape the Mining Industry*, (Launceston, Tas., 2007), pp 291-308.

## **Conclusion**

This chapter has shown that the depression following self-government was caused, not by the loss of people to the Victorian gold rush, but by a complex mixture of external and internal forces. Many of the external forces were equally important in Britain and the other Australian colonies. The depression in Tasmania was triggered when the global financial crisis of 1857 resulted in a fall in price of the staple export, wool. This coincided with structural changes in the Tasmanian economy brought about with declining overseas demand in the timber, wheat and whaling industries, and the falling Imperial contributions to the economy with the closure of the convict system. Internal weaknesses, many of which were the result of environmental and husbandry issues in the pastoral and agricultural sector, reduced output further. People sought prosperity elsewhere, and the population loss compounded the decline.

The upswing began in the early seventies, with a rise in confidence following mineral discoveries and a boom in wool prices that coincided with fleece improvement as scab disease was eradicated. By 1875, the economy was diversifying again with mining, fruit and jam, potatoes and hops, taking the place of the old industries.

The Waste Lands Acts were developed and implemented in this context of prolonged economic depression, with industry in decline and shortages of both capital and cash across all sectors. The next four chapters will examine the

attempts made by successive ministries to use the land legislation to secure sufficient revenue to run the country and to promote settlement.

## Chapter Three: Waste Lands, Experiment and Speculation 1858-1862

Tasmania was the first of the Australian colonies to pass legislation which allowed small farmers to select land on credit terms, the first land acts passing into law within fifteen months of the first sitting of parliament. South Australia had passed its colonial land legislation earlier with the *Waste Lands Act* of 1857, but the only reform this contained related to reducing funding for immigration. Selection by small farmers was not introduced there until 1869.<sup>1</sup> Following its *Waste Lands Act 1858*, the Tasmanian parliament, in an effort to secure revenue and stimulate the economy, introduced new land legislation almost every year for the next twenty years.

New South Wales and Victoria both attempted to pass land legislation, including provisions for selection, in 1857. This failed in their respective Legislative Councils, the bastions of the pastoral interest. In New South Wales four years elapsed, three ministries fell, and a new Legislative Council was appointed before the *Crown Lands Occupation Bill* and the *Crown Lands Alienation Bill* (known as the *Robertson Acts*) were passed in both Houses under the Robertson ministry. The *Alienation Bill* allowed any one to select, before survey, between forty and 320 acres of Crown land, excluding town and suburban land. The price was fixed

---

<sup>1</sup> T A Coghlan, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901, Vol II*, (Melbourne, 1969, first published 1918), p 663.

at £1 per acre, deposit one-fourth, and the remainder payable over three years. Longer terms were available on payment of interest.<sup>2</sup>

In Victoria, a 'Pastoral Protection society' had been formed in 1855 to protect the squatters' land interests; in 1857 a 'Land Convention' was formed to agitate for selection. Several proposed land bills failed in the Legislative Council in these years, until a crisis was reached in the first parliament under manhood suffrage in 1859. Three ministries fell over the proposed *Nicholson Land Act*, mass meetings were held, and crowds invaded Parliament. The *Nicholson Act*, with provisions for selection, passed in 1860, to be followed in 1862 by the *Duffy Acts*.<sup>3</sup> These allowed any Victorian resident, not infant or married woman, to select up to 640 acres. Selectors were required to cultivate one acre in ten in the first year, and to erect a dwelling; credit terms were available.<sup>4</sup>

Queensland, separated from New South Wales in 1859, passed its *Crown Land Alienation Act* in 1860, followed by its *Agricultural Reserves Act* in 1863. These required settlers to occupy, improve and cultivate a portion of their lands. Settlers under the first of these acts could have from forty to 320 acres, but the usual size for lots under the *Agricultural Reserves Act* was just forty acres.<sup>5</sup> A succession of land acts followed as Queensland sought to prevent the abuses to selection that occurred in New South Wales and Victoria. By 1865 it was obvious that the plan

---

<sup>2</sup> Coghlan, *Labour and Industry in Australia: Vol II*, pp 649-52.

<sup>3</sup> S H Roberts, *History of Australian Land Settlement 1788-1920*, (Melbourne, 1968, first published 1924), pp 247-51.

<sup>4</sup> Victoria. 25 Vict no 145, ss 12-26.

<sup>5</sup> D B Waterson, *Squatter, Selector, and Storekeeper: a History of the Darling Downs 1859-93*, (Sydney, 1968), pp 117, 122.



to settle yeoman farmers on the land in Queensland was failing, and a series of further acts followed, including the *Selectors' Relief Act* 1865, the *Crown Lands Act* 1868, the *Lands Act of 1876*, the '*Exchanged ' Land Act* 1879, and the *Land Act of 1884*. Queensland persisted in requiring personal residence on the land, but conditions related to improvement and cultivation were progressively eased as it became evident that selectors could not meet the requirements and it was both politically unwise and economically impossible for government to enforce the conditions.<sup>6</sup>

South Australia, settled originally under Wakefield's colonization schemes, was quite unlike the eastern colonies which had been dominated economically and politically from the 1820s by the pastoral interests. South Australia was a land of medium-sized, family-operated holdings where, in spite of the economic dominance of wool in the export market in the 1850s, farmers were more important than pastoralists. The Victorian gold rush had created new markets for rural producers and the colony was relatively prosperous during the 1850s. There was no need for land reforms then, but circumstances changed in the next decade. A severe drought in 1864 affected rural output. Colonization slowed as farmers left for better lands when the more liberal land laws of Victoria opened up the rich lands of the Wimmera. As the Victorian lands came into production, the wheat producers of South Australia faced competition in their export markets from the selectors of Victoria and the new producers in the Sacramento Valley on the west coast of North America. South Australia's selection legislation of 1869 was an

---

<sup>6</sup> Waterson, *Squatter, Selector, and Storekeeper*, pp 97-125.

attempt to stimulate the economy by increasing settlement and attracting immigrants. The *Waste Lands Amendment Act* (known as the *Strangeways Act*) introduced, for the first time in South Australia, credit purchase for small farmers (on less than 640 acres) in designated agricultural areas. The act was revised, extending credit to purchases outside the designated agricultural areas and, by 1972, over a million acres had been sold under its provisions.<sup>7</sup>

The pattern of events was clearly different in Tasmania, and this chapter seeks to understand why this was so. It asks the following questions. What were the driving forces behind the land legislation in Tasmania? Was it significant that Tasmania alone of the Australian colonies continued to refer to its land legislation as 'Waste Lands Acts' rather than 'Crown Lands Acts'? How did the Waste Lands Acts provide for the squatting interests? What provision did they make for selection? What problems did the acts create? What results did they achieve? What was life like for the selectors and small farmers?

The chapter is divided into six sections. The first analyses the land debates in Tasmania in relation to those taking place in eastern Australia. This is followed by a discussion of the provisions of the first land acts of 1858 in comparison with those being developed concurrently in New South Wales and Victoria. Then the provisions of the amendments are discussed. This is followed by an analysis of the implementation of the acts and the results of the first land sales. Several parliamentary select committees enquired into the operation of the acts, and the

---

<sup>7</sup> D W Meinig, *On the Margins of the Good Earth: the South Australian Wheat Frontier 1869-1884*, (London, 1962), pp 22-45.

evidence and deliberations of these will be evaluated. The chapter will conclude with an examination of the results of the legislation. This will discuss problems faced by the small farmers, the results of land sales, and the effect on output in the rural industries, to the end of 1862.

## **The Land Debates**

The land debates were driven by a set of cultural ideas about land, not necessarily aligned with any particular parliamentary faction, and the outcomes were mediated by economic, social and environmental realities. These ideas could hardly be dignified with the title of ‘policy’. They were rather a collection of imprecise notions, yet government members held so firmly to their ideas that they persisted with these even when evidence demonstrated that the ideas did not fit reality. Five key ideas drove the land debates and these are discussed in turn. The most important of these in both Victoria and New South Wales was the idea of the democratization of land ownership. Second was the idea of improvement, a belief that land should be ‘improved’ by the application of labour and capital. Closely associated with this was the belief that a large population was necessary for prosperity, which in turn gave new life to the old idea from Wakefield’s theory that land and immigration were linked. This discussion concludes with two ideas that emerged in the Tasmanian land debates. The first of these was that ‘native born’, that is, whites of European descent born in Tasmania, had a right to local land. Finally, and most strangely for a small island, the belief had arisen that the colony held infinite resources.

The belief that all classes were entitled to own land arose during the nineteenth century. Weaver attributed this to the widening influence of American democracy across the English world and the result was that people of modest means gained access to land ownership.<sup>8</sup> This influence became evident in Australia in mid-century. In Victoria, the pastoral dominance was challenged by the new urban populations; in New South Wales by the new agriculturalists.<sup>9</sup>

Selection, or free selection, was to be the means of achieving these ideals in Australia. The term is somewhat misleading since there was nothing free about it. The choice of the land for selection was always hedged about with limitations, in size, in location, in the number of blocks permitted, or the rules on who was eligible. Such land was not cost-free; in Australia land alienated for agriculture was, with very few exceptions, disposed of by governments for a consideration.

The turmoil over the question of selection that arose in New South Wales and Victoria was not present in Tasmania. The relative ease with which the land legislation was passed was due in part to the lack of an organized popular land reform movement to challenge the squatters' hold on the land. Chapter One showed just how restricted the Tasmanian franchise was throughout the nineteenth century, with control remaining in the hands of the pastoral interests for more than thirty years after the beginning of self-government. Other interests were not represented.

---

<sup>8</sup> J Weaver, *The Great Land Rush and the Making of the Modern World, 1650-1900*, (Montreal, 2003), pp 26-7.

<sup>9</sup> Roberts, *History of Australian Land Settlement*, p 228.

There is even evidence to show that the democratic ideal of land ownership was actively opposed in the Tasmanian parliament. James Whyte, pastoralist and member for Pembroke, argued that if credit was allowed on land sales, labourers would establish their homes on the land and then refuse to pay for it.<sup>10</sup> Pastoralist and member for North Esk, John Helder Wedge, deprecated what he termed 'class legislation', arguing that the small landowners should not be the only ones to be allowed to purchase on credit. He suggested that the security for the debentures would be in danger 'if a numerous class, a pauper class, got possession of the lands'.<sup>11</sup> Pastoralist and member for South Esk, P T Smith, objected to the sale of land by credit because 'it would force those to become landlords who ought to remain labourers'.<sup>12</sup>

The notion of democratic rights to land gained some support in one of Tasmania's daily papers, but not at the expense of threatening the incumbent land owners. The *Mercury* at first argued for the 'equality of right in all to cultivate land for their own advantage'.<sup>13</sup> It held that 'the lands belong to the people' and was opposed to the absentee landlords, 'a class, which always has been, and always will be, a curse to any country in which the property is located'.<sup>14</sup> Its position, however, was not radical. It argued not for the overthrow of landlords, but that they be taxed, as should the wealthy landlords of Hobart and Launceston, on the principle the 'every man ought to pay, according to the amount of the benefit he receives'.<sup>15</sup>

---

<sup>10</sup> *Mercury*, 7 December 1857, p 2.

<sup>11</sup> *Mercury*, 11 December 1857, p 2.

<sup>12</sup> *Mercury*, 7 December 1857, p 2.

<sup>13</sup> *Hobart Town Mercury*, 8 June 1857, p 3.

<sup>14</sup> *Hobart Town Mercury*, 7 December, 1857, p 2.

<sup>15</sup> *Hobart Town Mercury*, 7 October 1857, p 2.

In addition to running leaders on the land question, the *Mercury* published a series of six articles by a correspondent who signed himself 'Cornucopia'. While there is no documentation to identify this writer, it was probably J D Balfe, who wrote other articles for the *Mercury*, had a keen interest in land matters, and who had a classical education.<sup>16</sup> 'Cornucopia' began all his articles with a quotation from the classics. While 'Cornucopia' followed the *Mercury's* conservative line, arguing 'nor need there be any clamour against any class', he did think that no land scheme would have any value unless it included 'the reasonable expectations of the working class'. His proposed twenty-point Land Scheme 'would not interfere with any vested interests'.<sup>17</sup>

Several public meetings were held to discuss the land question, but even here democratic opinions were in the minority. The Hobart meeting was attended by local businessmen and working men, the one practicing agriculturalist being John Linnell from the Huon.<sup>18</sup> Only two speakers expressed democratic opinions. William Lemon had been in the colony a great many years but had no land; he was now anxious 'the boys should get it'.<sup>19</sup> William Saunders wanted the poor man to be able to clear the land for himself, not for a landlord, and was strongly in

---

<sup>16</sup> S Petrow, 'The Bully of Tasmanian Politics: John Donnellan Balfe 1850-1880', *THRA Papers and Proceedings*, 46, no 3, (1999), pp 117-34.

<sup>17</sup> *Hobart Town Mercury*, 5 August, 1857, p 2, 10 August 1857, p 3, 17 August 1857, p 3.

<sup>18</sup> Linnell had settled in forest land on the Huon River in 1850. Ritchie Woolley and Wayne Smith, *A History of the Huon and the Far South: Before the Orchards Grew Vol 1*, (Huonville, Tas., 2004), p 118.

<sup>19</sup> The only contemporary reference to a Mr Lemon is a case involving William Lemon of Hobart, who was involved in a public house brawl when he endeavoured to persuade his wife to leave the bar. *Hobart Town Mercury*, 6 April 1857, p 3.

favour of 'the right of selection that would bring down the great monopolists'.<sup>20</sup>

But overwhelmingly the feelings of the meeting were reflected by the chairman, William Boys, who said those in possession of land should be in no way injured.<sup>21</sup>

A meeting at River Forth, in northern Tasmania, was chaired by farmer, James Fenton, assisted by the district surveyor, James Dooley. It wanted both reform and protection for the squatting interests, and proposed that all pastoral lands be leasehold only, but that leaseholders should have a pre-emptive right to purchase 640 acres of their holding at £1 per acre.<sup>22</sup> The conservative position in the north is not surprising, since these were the lands of the tenant farmers studied by Breen and discussed in Chapter One. No one would speak out against the landlords there.

Several meetings at Franklin, the small farming district of the Huon valley, were chaired by the local Police Magistrate and sent petitions to Parliament. Again, they expressed no opinions about democratic right to land ownership, made no mention of pastoral lands which were a long way from their homes, but they did support selection of smaller lots on credit.<sup>23</sup>

This discussion raises some questions. Why was the discussion so tempered, so mild in comparison with the land debates in Victoria? The Hobart Town Council

---

<sup>20</sup> *Hobart Town Mercury*, 14 September 1857, p 3. This is possibly the Mr Saunders who ran a butcher shop in Colville Street in 1859. *Hobart Town Daily Mercury*, 12 August 1859, p 2.

<sup>21</sup> William Boys was a merchant of the firm Murdoch & Boys and MHA for Hobart, 1857-61. *Hobart Town Mercury*, 14 September 1857, p 3, 14 October 1857, p 3; S Bennett and B Bennett, *Biographical Register of the Tasmanian Parliament, 1851-1960*, (Canberra, 1980), p 18.

<sup>22</sup> *Hobart Town Mercury*, 7 October 1857, p 2.

<sup>23</sup> 'Petition: From E Walpole-Waste Lands', *JHA*, II, paper 28, (1857), unpagged.

had a strong emancipist presence, and Hobart itself held the first Working Man's Club in Australia.<sup>24</sup> Were they afraid of speaking openly? Did they feel powerless? Or was being seen to be respectable more important in Hobart than exercising a democratic right? Richard Davis, in a study of the development of the Tasmanian Labor Party, identified a number of factors that delayed unionism in the nineteenth century, and these suggest some answers. He thought the class structure of Tasmanian society, the legacy of the convict system, was responsible for the inertia in the second half of the nineteenth century. The upper classes, who had depended on the convict system for their wealth, had political and economic dominance. There was no vigorous emancipist class, such as New South Wales had, and the rural workers were 'timid and conservative'.<sup>25</sup> This was discussed in Chapter One and these issues will recur throughout the following chapters.

Davis identified other contributing factors. Tasmanian had no urban concentrations of population; communications between regions were poor; and regional rivalry prevented groups acting together. There was no factory system in which bosses were clearly distinguished from workers. The prevalence of small businesses in Tasmania meant the distinctions between the two groups were often blurred.<sup>26</sup> Later chapters will show that the Waste Lands Acts, by forcing regional development and under-funding the new districts, in fact contributed to the isolation of workers and the regional rivalries.

---

<sup>24</sup> S Petrow, 'Leisure for the Toilers: the Hobart Working Men's Club 1864-1887', *THRA Papers and Proceedings*, 49, (2), (2002), pp.71-87.

<sup>25</sup> R P Davis, 'Tasmania', in *Labor in Politics: the State Labor Parties in Australia 1880-1920*, (St Lucia, 1975), p 390.

<sup>26</sup> Davis, 'Tasmania', pp 389-92.



Democracy might have been thrust aside in Tasmania, but the other great nineteenth century idea, that of improvement of land, was widely espoused. Gascoigne argued that the Australian colonies were settled at a time when the Enlightenment idea that progress was possible through the application of human reason had received great impetus in Britain by the success of the agrarian revolution. As a result, in Australia ‘...progress was most significantly and obviously linked with the pace of economic development—which primarily meant the degree of success in exploiting the land’.<sup>27</sup>

There were different levels of improvement. Weaver explained that land was improved by the application of labour and capital, which increased its carrying capacity and market value.<sup>28</sup> This led in turn to the displacement from the land firstly of the indigenous peoples, and then of the grazers (‘graziers’ or ‘squatters’ in Australia), by the agriculturalists.<sup>29</sup>

The idea of improvement was a key driving force in the Queensland land legislation. As discussed above, all the Queensland acts required selectors to improve their lands by constructing dwellings, fencing, other forms of capital outlay, and by cultivating a portion of the land. In Queensland, as in Tasmania, it was not democratic forces demanding land that created the driving force behind the lands legislation; it was this belief in improvement. And in Queensland the improvement ideal was driven politically, not by the intending small farmers or

---

<sup>27</sup> John Gascoigne, *The Enlightenment and the Origins of European Australia*, (Melbourne, 2002), pp 69, 70-7.

<sup>28</sup> Weaver, *The Great Land Rush*, p 81.

<sup>29</sup> Weaver, *The Great Land Rush*, pp 311 - 4.

the immigrants in possession of land orders who flocked to Queensland, but by urban dwellers such as storekeepers and newspaper proprietors who desired the overthrow of the pastoral dominance. Once they had seen small farmers settled on the land, their goal was on the way to being achieved and they tended to lose interest in the struggles and hardships faced by the new farmers. Political compromises, not economic or practical considerations, then drove the land legislation.<sup>30</sup>

In Tasmania, the belief in improvement polarized the land debates into two sides, improvers and pastoralists. Even worse in the eyes of both was the 'speculator', the man who held the land off the market and simply waited for its value to increase without 'improving' it.

The belief that it was necessary to improve the land recurs at all levels of the debate about land in Tasmania. In the *Mercury*, 'Cornucopia' wanted people who would 'reclaim our waste lands'.<sup>31</sup> The *Examiner* wanted the issue of the land grant, that is, title deed, conditional upon residence and improvement on the land.<sup>32</sup> The meeting at Franklin petitioned for land to the west of their district, the 'unsettled lands', to be given away rather than be allowed to remain wholly unproductive.<sup>33</sup> This belief also provides the explanation for Tasmania continuing to call its land legislation the 'Waste Lands Acts'. Land that did not show the

---

<sup>30</sup> Waterson, pp 97-125.

<sup>31</sup> *Hobart Town Mercury*, 17 August 1857, p 3.

<sup>32</sup> 'Land Question', *Examiner*, 6 October 1857, p 2.

<sup>33</sup> 'Petition: From E Walpole – Waste Lands', *JHA*, II, paper 28, (1857), unpagged.

visual evidence that capital and labour had been expended upon it, land that was not visibly occupied, was waste land.

The idea of improvement extended beyond land to the intellectual and moral improvement of the people. Gascoigne pointed out that the convict experience in Australia gave rise to the belief that people could be reformed through working on the land.<sup>34</sup> This belief is evident in the Tasmanian land debates. At a meeting in Hobart, Francis Edgar argued that the working classes ‘should possess some small quantity of the land, and that peace and unity, religion and piety, should grow up amongst them’.<sup>35</sup>

As well as labour, capital was necessary for the improvement of land, and this was strongly advocated in the Tasmanian press. The *Launceston Examiner* said settlers should have sufficient capital to purchase the land outright (it opposed credit), and to support themselves for two years until the land had been made productive.<sup>36</sup> The *Mercury* wanted applicants for land to possess capital to the value of £1 per acre for every application.<sup>37</sup> It asked how the Hobart meeting thought its proposed land policies could ‘benefit the poor man’ when it would cost at least £4 per acre to fulfill the requirements for improvement.<sup>38</sup>

---

<sup>34</sup> Gascoigne, *The Enlightenment*, pp 10-2.

<sup>35</sup> *Hobart Town Mercury*, 18 September 1857, p 3; Francis Smithers Edgar was a candidate on at least two occasions at the Hobart City Council elections. Although the *Mercury* supported him, he was not elected. *Hobart Town Mercury*, 27 May 1857, p 3. He was employed in the Survey Department until the policy of reduction in expenditure saw him retrenched in 1860. *Mercury*, 27 September 1860, p 3.

<sup>36</sup> ‘Land Question’, *Launceston Examiner*, 6 October 1857, p 2.

<sup>37</sup> *Hobart Town Mercury*, 14 September 1857, pp 2-3.

<sup>38</sup> *Hobart Town Mercury*, 18 September 1857, pp 2 -3.

At the same time, it was realized, at least in the *Mercury*, that large land owners were hostile to the small settler. ‘Cornucopia’ claimed that large land holders kept strangers out by bidding up the prices at auction and dreaded ‘the near neighbourhood of small settlers’.<sup>39</sup> What no-one said openly was that there was reluctance in the legislature and among the established farmers to have legislation that allowed emancipists to become landowners, or worse still, that allowed emancipists to become neighbours. The drive to have immigrants settle the land was as much about locking out the emancipists as it was about attracting a larger population. This becomes clear in the parliamentary enquiries following the waste lands legislation, and is discussed later in the chapter.

In practical terms, improvement was closely linked to the belief that a large population ensured prosperity. The latter idea was so deeply ingrained in Australia that the colonies were prepared to alter their land policies to make their colony more attractive to both Australian and overseas immigrants.<sup>40</sup> Blainey argued that the practice of using land sales to fund the immigration of workers declined during the 1860s. In these years, Australian workers, who increasingly had the franchise, wanted land revenue spent on services such as education and health, rather than on immigration, which would lower their wages.<sup>41</sup>

While this may be true of New South Wales and Victoria, it was not true of Queensland, South Australia or Tasmania in the 1860s. In Queensland, with vast

---

<sup>39</sup> *Hobart Town Mercury*, 17 August 1857, p 3; 27 July 1857, p 2.

<sup>40</sup> B Davidson, *European Farming in Australia: An Economic History of Australian Farming*. (Amsterdam, 1981), p 137.

<sup>41</sup> Geoffrey Blainey, *The Tyranny of Distance: How Distance Shaped Australia's History*, rev ed. (Sydney, 2001), pp 170-1.

areas unsettled and a land policy driven by the idea of improvement, various immigration schemes were implemented in which intending immigrants were offered land orders as an inducement to settle in country districts. There were plenty of hopeful immigrants but they lacked both capital and bush experience. Most sold their land for cash.<sup>42</sup>

In South Australia, one of the driving forces behind the land reforms of 1869 was concern over the falling population as farmers left for the new wheat lands being opened up in the Victorian Wimmera district. The government hoped to attract new farmers by offering credit terms for purchase and by progressively opening up designated agricultural areas where, in addition to farm lots up to 320 acres, township and suburban areas were also surveyed.<sup>43</sup> A number of amendments to the *Strangeways Act* between 1872 and 1874 opened up more land for credit sales beyond the agricultural areas and, by 1884, the land reforms had resulted in a population increase of some 50,000.<sup>44</sup>

In Tasmania, circumstances were different in 1857. The government, faced with stagnant population numbers, and with no workers in Parliament to object, saw immigrants as the only hope for clearing the land. Even before self-government, the Tasmanian Legislative Council had argued for 'the earliest possible permanent occupation and improvement of the unoccupied Waste Lands'.<sup>45</sup> An enquiry into immigration conducted by the Legislative Council in 1855 stated that

---

<sup>42</sup> Waterson, *Squatter, Selector, and Storekeeper*, p 115.

<sup>43</sup> Meinig, *On the Margins of the Good Earth*, pp 24-8.

<sup>44</sup> Meinig, *On the Margins of the Good Earth*, pp 42-56, 205.

<sup>45</sup> Votes and Proceedings, *VDLLCJ*, VI, (1855), p 140.

‘immigration was absolutely essential to the prosperity of the colony’.<sup>46</sup> In 1857, a petition to Parliament from Hobart, carrying 657 signatures, requested immigration for the purposes of ‘converting the dense forests of this magnificent island into fair and cultivated fields and fertile domains’.<sup>47</sup>

If the land only had value because of the application of labour and capital, the issue of how to price the waste lands became problematical. Under Wakefield’s colonization theories, land had been sold at a high price, that is, £1 per acre. Although Wakefield’s schemes were long abandoned by the time self-government came in Australia, the high price of land continued, with significant consequences. Blainey found that land, at £1 per acre in Australia and New Zealand, was dearer than in the other British colonies. In Canada and the USA land sold for four or five shillings per acre; in the USA after 1862 farmers paid only three shillings per acre for farms of 160 acres, provided they met residence and cultivation requirements for five years. The higher cost of Australian land resulted in rising farm and pastoral debt, as well as the growth of regional banking. Blainey also attributed the interventionist nature of Australian governments in social and economic affairs to the fact that high land revenue gave these governments the power to raise large loans on the London money market to fund their projects.<sup>48</sup> Weaver noted that a more direct consequence of the high price of Australian land was that this protected the squatters.<sup>49</sup>

---

<sup>46</sup> ‘Immigration: Report of Select Committee,’ *VDLLCJ*, VI, (1855), pp 44-5.

<sup>47</sup> ‘Petition’, *LCJ*, II, paper 26, 1857, unpag.

<sup>48</sup> Blainey, *The Tyranny of Distance*, pp 168-70.

<sup>49</sup> Weaver, *The Great Land Rush*, p 316.

In Tasmania, the *Mercury* argued that much of the land ‘was not worth five farthings per acre, let alone five shillings’.<sup>50</sup> The meetings of residents all wanted cheaper selections. At Hobart, they wanted land for selection to be sold at five shillings per acre with ten years credit; at River Forth, they wanted fifty acre lots in the heavily forested lands to be free on condition that two acres were bought into cultivation annually over eight years; at Franklin, they wanted the unsettled lands leased to resident settlers at a peppercorn rent or given away.<sup>51</sup> The conservative *Examiner*, no doubt protecting the pastoral interests, could see no reason to lower the price, and argued that comparisons with America were pointless, since in Tasmania the roads and bridges were provided by the government, not the settlers.<sup>52</sup> It was not entirely correct in this. Convict labour had provided the early roads, but, from the middle of the nineteenth century, the government devolved responsibility for road building to local road trusts, which were funded by levying rates.<sup>53</sup> Furthermore, the *Examiner* ignored the problem that in Tasmania the lands available for selection were in more remote districts, as yet not served by roads or road trusts.

The government, however, had its own agenda. The ministry of T G Gregson gained power for a short time in April 1857 with a policy to cut expenditure before increasing taxation, and Gregson looked to land sales to solve the revenue problem. He claimed to have found 180,000 acres of land suitable for agriculture

---

<sup>50</sup> *Hobart Town Mercury*, 14 September 1857, pp 2-3, 18 September 1857, pp 2-3.

<sup>51</sup> *Hobart Town Mercury*, 18 September 1857, pp 2-3; 7 October 1857, p 2; ‘Petition: From E Walpole–Waste Lands,’ *JHA*, II, paper 28 (1857), unpagged.

<sup>52</sup> ‘Land Question’, *LE*, 6 October 1857, p 2.

<sup>53</sup> Grant Rootes, ‘A Chaotic State of Affairs?: The Permissive System of Local Government in Rural Tasmania 1840-1907’, PhD Thesis, University of Tasmania, 2008, pp 13-5.

among the pastoral lands where the leasehold was shortly due to terminate, and proposed to put this on the market at £2 per acre.<sup>54</sup> The Gregson ministry fell before the plan could be implemented.

The House of Assembly did suggest giving away land in the unsettled districts (the rugged and wet west coast) on conditions of residence and improvement, but this met with some opposition in parliament. The pastoral push in the lower house opposed giving away any lands, although most of them had acquired large tracts of land under the free grant scheme. One of those against the proposal was William Race Allison, who, up to that time, had not paid for the land he had obtained under the 1851 Regulations. Another to oppose the move was Harry Anstey, of *Anstey Barton* in the Midlands. He was only reconciled to the proposal by the barren nature of the unsettled land. He was prepared to give away land ‘...where neither bird nor animal could exist — and where the convicts who formerly run [sic] from Macquarie Harbour invariably perished in its impenetrable scrubs.’<sup>55</sup>

Anstey’s attitude, not atypical in the Tasmanian parliament, suggests a degree of irresponsibility with regard to his role in government. His words suggest that, although he thought the government could not afford to give away the land, he was not prepared to adhere to this principle. He did not care what decisions were made about land that he did not happen to want, and he gave no thought to the

---

<sup>54</sup> *Hobart Town Mercury*, 1 April 1857, p 2.

<sup>55</sup> *Hobart Town Mercury*, 4 November 1857, p 3.



problems the government would be creating for those who attempted to settle in the unsettled lands.

Another idea to recur throughout the land debates was the belief that Tasmania held infinite resources. This may have been part of a pattern of optimistic responses to limitations observed by Weaver, who noted that colonizers of all types, when they perceived the end of the land rush, searched for land previously overlooked, and expanded into marginal lands in the hope that increased capital outlays could increase productivity.<sup>56</sup> It may have been a consequence of the belief in improvement; as Gascoigne pointed out, settlers still had to learn that in Australia the land could not be bent entirely to their will.<sup>57</sup> Tasmanians were certainly optimistic. 'Cornucopia' wrote of the 'vast capabilities' of the Island' and thought that 'thousands of hidden blocks with rich soil would be available by opening up roads'.<sup>58</sup>

This belief, in combination with a desire to increase revenue without introducing more taxes, drove a series of explorations by the Survey Department throughout the 1850s and 1860s in a search for more arable land. The Surveyor-General, J E Calder, thought that of the thirteen and a half million acres remaining for disposal by the state, only half would prove unfit for cultivation, but even 'a fair part' of that would be suited to pasture. He reported in 1866 that 'the researches of our

---

<sup>56</sup> Weaver, *The Great Land Rush*, pp 311-2.

<sup>57</sup> Gascoigne, *The Enlightenment*, p 71.

<sup>58</sup> 'Topic of the Day No 3', *Hobart Town Mercury*, 5 August 1857, p 2.

surveyors are continually disclosing new and extensive tracts...the soil of which, I believe, to be second to none in the world in point of excellence.<sup>59</sup>

Conflicting with the notion that land should be used as an incentive to immigrants was the idea that the native-born youth of Tasmania had a prior right to land. Although the 1851 Regulations had offered land as an incentive to 'Colonial youths' to remain in Tasmania, these did not give priority to native born; one colonial youth complained when the land he had applied for at the Huon had been disposed of to another, not a 'colonial youth'.<sup>60</sup> In 1857, a correspondent to the *Mercury*, who signed himself 'A Working Man', wanted land for the man already in the Colony, as well as for immigrants. He thought the resident working man was better prepared for life on the land.<sup>61</sup> The idea was to recur through the later debates, but the problem for Tasmanian legislators was that 'native youth' were likely to be descendants of emancipists.

The land legislation was before parliament in 1857, but during the year three ministries fell. This instability was the result of financial difficulties faced by the parliament and not related to the land issue. In May 1857, the new ministry, with Francis Smith as Premier and Attorney-General, and Frederick Maitland Innes as Treasurer, took office and remained in power until the end of 1860.<sup>62</sup> There was an attempt in the House to rush through an emergency land bill in May 1857 without reference to the findings of the select committee enquiring into the land

---

<sup>59</sup> 'Lands of Tasmania', *JHA*, VIII, paper 46, (1862), p 4.

<sup>60</sup> 'Land Regulations: Petition of W Russell', *VDLLCJ*, 2, Part 1, paper 32, (1852), unpagged.

<sup>61</sup> *Hobart Town Mercury*, 20 May 1857, p 3.

<sup>62</sup> L L Robson, *A Short History of Tasmania*, edited by M Roe, 2nd ed, (Melbourne, 1997), pp 28-30.

question. The government was in financial difficulties, with debts of £58,000 it was unable to meet, and the Attorney-General, Francis Smith, proposed to solve the problem by selling off the pastoral land earlier identified by Gregson. Six days later Smith withdrew the bill because so many members objected.<sup>63</sup>

The Attorney-General presented two land bills to the House in November 1857. The first of these, the *Waste Lands Act*, contained a number of reforms, with an emphasis on encouraging settlement on small blocks. Its purpose was the ‘bona fide settlement and cultivation of the lands by a class of industrious settlers and as far as possible in small portions.’<sup>64</sup> To this end, the Island had already been divided into districts and district surveyors appointed. They were to recommend lands suitable as agricultural divisions and it would be impossible to alienate such land in any way other than as small lots. He thought land around the Huon and Mersey Rivers would be suitable for agricultural divisions.<sup>65</sup>

Selection was separate from the agricultural divisions. Its prime purpose was to encourage the discovery of new land; it was to be available only for genuine explorers and discoverers of new land. The government proposed to exclude pastoral licenses from selection; it claimed that to open them would unfairly advantage the existing license holders, who knew where the best land was and who would not hesitate to lock up the best lands by selecting them.<sup>66</sup>

---

<sup>63</sup> *Hobart Town Mercury*, 27 May 1857, p 2; 1 June 1857, p 2.

<sup>64</sup> *Hobart Town Mercury*, 4 November 1857, pp 2-3.

<sup>65</sup> *Hobart Town Mercury*, 4 November 1857, p 2.

<sup>66</sup> *Hobart Town Mercury* 4 November 1857, pp 2-3.

If the small settler was to purchase land, he needed access to credit, which the government proposed to provide. To reduce the dangers of non-payment of instalments and of speculators taking over land in default, it had been decided to offer credit for a short time only and to make the land non-transferable until the purchase was complete.<sup>67</sup> At this time, parliament was concerned only that the credit legislation should succeed in the Legislative Council. No thought was given to how a small farmer could make enough profit from his land in order to both keep his family and make his repayments. This lack of forethought was to cost everyone dearly, as later events will show.

The ministry had some difficulty with the question of price, as community opinion was so varied. It believed that to lower the price would encourage the speculator. It had been decided that the Land Commissioner (to be the Surveyor-General) should set the price on the advice of the surveyor; when the land was put up for sale, this would test the correctness of the price.<sup>68</sup> For pastoral leases, the land committee and the ministry had disagreed. The committee had proposed that leases be auctioned; the ministry wanted leases to go to the first applicant. Finally, the act proposed that the Lands Commissioner was to advertise leases as he thought fit.<sup>69</sup>

In the debates, W R Allison sturdily defended the rights of the squatter over the selector to the lands. He wanted selection to be available to pastoralists, as it had been under his 1851 Regulations, and he argued this on the basis that the Crown

---

<sup>67</sup> *Hobart Town Mercury*, 4 November 1857, pp 2–3.

<sup>68</sup> *Hobart Town Mercury* 4 November 1857, p 2.

<sup>69</sup> *Hobart Town Mercury*, 4 November 1857, p 2.

lessee was 'the first pioneer into the wilderness'. As such, he should have the right to the lands until someone else could prove he could occupy them with more benefit to the country. Excluding the pastoral leases from selection would, he argued, lock up more than three million acres. He wanted the act referred to a joint committee of both houses.<sup>70</sup> This view was opposed by members Chapman, Gibson, and Dr Officer, who thought the proposal for a joint committee was a strategy to delay the bill, and an invitation to the Legislative Council to invade their privileges.<sup>71</sup>

The credit clause was hotly debated. Again, Allison opposed the clause, arguing that to give eight years credit on agricultural and pastoral lands would be 'opening the door to the wildest and most reckless speculation'. He was, after all, something of an expert on credit purchases of land, having not yet paid for the lands he acquired under the 1851 Regulations.<sup>72</sup> Balfe supported credit terms of eight to ten years, since a settler could not make the land productive in three years. The House decided on giving credit, and an attempt by Allison to have this limited to selection failed.<sup>73</sup> Allison possibly wanted credit for selection because he still hoped to have selection of pastoral lands available as it had been under his 1851 Regulations.

At the first debate in the Legislative Council, pastoralist James Whyte, ignoring the heart burnings of the ministry over the issue of price, simply amended the

---

<sup>70</sup> *Hobart Town Mercury*, 4 November 1857, p 3.

<sup>71</sup> *Hobart Town Mercury*, 4 November 1857, p 3.

<sup>72</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, 1866, p 88.

<sup>73</sup> *Hobart Town Mercury*, 13 November 1857, p 3.

clause on price to make the lowest upset price to be ten shillings for land not previously held under license, (that is, pastoral lands), and £1 pound per acre for other land. The Lands Commissioner had power to lower the price on any land not sold within six months of the auction.<sup>74</sup> At this one stroke, Tasmania was committed to selling land at a high price. Either no one in parliament felt strongly enough about it to argue, or they were all under pressure to run the government without increasing taxation, because Whyte's decision became law.

The real problems came with the credit clauses. The Legislative Council wanted cash sales only; admittedly, there were only nine of the fifteen members present and the first debate lasted barely an hour. James Whyte had argued that, if a man was not industrious enough to save the money to purchase land, he would never pay for it on credit. P T Smith found support for his notion that labourers should not become landowners. The motion to pass the legislation was lost by one vote.<sup>75</sup>

The rejection of the credit clauses by the Legislative Council met with immediate protest, the *Mercury* arguing that five members only of the Council had rejected proposals on which the House had bestowed great care.<sup>76</sup> When the debate was reopened in the Legislative Council four days later, the Council President, the member for Meander, William Nairn, argued that credit provisions would act as an inducement for immigrants. Credit for agricultural and pastoral lands was passed at this point, but rejected for town lands. When the bills went back to the

---

<sup>74</sup> *Hobart Town Mercury*, 2 December 1857, p 2.

<sup>75</sup> *Hobart Town Mercury*, 4 December, p 2, 7 December 1857, p 2.

<sup>76</sup> *Hobart Town Mercury*, 7 December 1857, p 2.

House with the amendments, the House accepted the amendments, including Whyte's pricing changes, but refused to restrict the terms of credit.<sup>77</sup>

The Legislative Council surrendered to popular opinion when parliament re-opened after the Christmas recess and it received three petitions all requesting the Council to pass the legislation with the credit clauses intact.<sup>78</sup> The bills were agreed to by both houses on 6 February 1858.

The other bill, the *Unsettled Lands Act*, was designed to open up land about which conflicting reports had been received, the west coast of Tasmania. The House was divided into two factions on the question. Pastoralists Allison, Anstey and T G Gregson ridiculed the idea that there was any good land to the west. Members Balfe, Nutt and Gibson, who represented country areas on the frontiers, took an optimistic approach and maintained the potential value and usefulness of these lands.<sup>79</sup> The improvers and optimists won that issue temporarily.

## **Waste Lands Acts of 1858**

There were two acts, as planned. The Colony was divided into two sections. Land to the north and east of the western mountains came under the *Waste Land Act 1858*; land to the west came under the *Unsettled Lands Act 1858*.<sup>80</sup> No historical map showing the unsettled lands has been found, but the district lay west of a line from South Cape Bay along the Arthur Range and through the Lake Country to

---

<sup>77</sup> *Hobart Town Mercury*, 14 December 1857, p 2, 16 December 1857, p 2.

<sup>78</sup> *Hobart Town Mercury*, 29 January 1858, p 2.

<sup>79</sup> *Hobart Town Mercury*, 4 November 1857, p 3.

<sup>80</sup> 21 Vict no 33, 34.

the headwaters of the Arthur River on the north-west coast. (See map in Appendix Two). It corresponds approximately to the areas now designated as national parks and conservation reserves.<sup>81</sup>

The *Waste Lands Act 1858* divided land into three classes. First class lands, the town lands, now included existing or future towns and any land within five miles of the two major towns, Hobart and Launceston. Second class land, the agricultural land, was a new classification in Tasmania. Inclusion in this class was to be determined by the Lands Commissioner, or the report of a surveyor. The Governor-in-Council had the power to proclaim agricultural divisions in which all land must be sold in small lots as agricultural land. No such divisions were specified at this time. All remaining land made up the third class, or pastoral lands.<sup>82</sup>

Auction was retained for sale of all classes of land, and was mandatory for town lands. The legislation fixed the reserve price, known as the 'lowest upset price', and James Whyte's pricing structure became law. Prior to auction, all land offered had to be surveyed and the plans made available in the nearest police office.<sup>83</sup> Pastoral blocks were limited to 1,280 acres, that is, two square miles, and agricultural blocks to 160 acres.<sup>84</sup>

---

<sup>81</sup> 'Tasmania Wilderness World Heritage Area', Tasmania. Department of Primary Industries, Parks, Water and Environment, <http://www.parks.tas.gov.au/index.aspx?base=391>, accessed 14 February 2010.

<sup>82</sup> *Waste Lands Act 1858*, ss 4-8.

<sup>83</sup> *Waste Lands Act 1858*, ss 4-13.

<sup>84</sup> *Waste Lands Act 1858*, ss 17-8.



Lands that failed to sell at auction were subsequently advertised in the *Hobart Town Gazette* for sale by private contract (referred to in this chapter as the ‘section 18 lands’). Intending purchasers applied in writing for the desired lots; if two purchasers applied for the same lot, the land was to be re-auctioned.<sup>85</sup>

Credit was allowed on all sales, and terms were for ten years. An additional interest charge was added to the price of lands sold on credit. This interest charge was set at one fifth of the purchase price for pastoral and agricultural lands. The deposit was one fifth the land price combined with the interest charge added. Interest charged for the purchase of town lands was less, at one tenth, but the deposit higher, at one fourth. The purchaser paid the survey fees and the grant deed (title) fee on completion of the sale. The penalty for default within sixty days on any instalment was absolute forfeiture, when the land reverted to the Crown, and was then to be auctioned, not at the price of the land, but for the balance remaining unpaid on the original price plus deposit. Land was not transferable until the sale was completed.<sup>86</sup>

Provisions for selection in Tasmania were quite different from those eventually passed in Victoria. Any person was eligible to select in Tasmania, and personal occupation of the land was not required.<sup>87</sup> In Victoria, selection was limited to residents only, and women and infants were not allowed to select.<sup>88</sup> Tasmanian ‘juniors’ and women did select land, although numbers were small. In the first

---

<sup>85</sup> *Waste Lands Act 1858*, ss 17-18.

<sup>86</sup> *Waste Lands Act 1858*, ss 23-31.

<sup>87</sup> *Waste Lands Act 1858*, s 19.

<sup>88</sup> Victoria, *Nicholson Land Act*, s 26.

three years, eighteen selections were made on behalf of minors, all but four of them obtaining credit.<sup>89</sup> In 1858, the new Surveyor-General, J E Calder, did advise those applying for land in their son's names that selection on credit was not available to minors.<sup>90</sup> It is possible that the selections in question here were examples of 'dummying', selection under false names, and accepted by the administration.

To be open for selection, land had to be unoccupied, not advertised for sale, and not previously held under a Depasturing or Occupation License, unless it had reverted to the Crown before 1857. This both protected the pastoral leases and provided for the government strategy to encourage the discovery of new lands. The maximum area for selection was 320 acres, and initially selectors were limited to one block, although the latter restriction was removed the following year.<sup>91</sup>

These provisions created problems for the selectors. Since the most accessible lands had long been taken, selectors were forced to the frontiers, in heavily-forested lands with no transport infrastructure. While selectors had no access to lands in the pastoral districts, there was nothing to prevent a pastoralist from making a selection provided it was not on existing leasehold.

---

<sup>89</sup> Calculated from 'Waste Lands: Returns Furnished to the Select Committee Appointed to Inquire Into "The Waste Lands Act"', *JHA*, VII, paper 131, (1861), pp 14-24.

<sup>90</sup> Letter to J Fenton, 11 August 1859, Surveyor-General's Letterbooks 22 July 1858 – 24 December 1859, LSD16/1/15, 414, TAHO.

<sup>91</sup> *Waste Lands Act 1858*, s 19; *Waste Lands Act No 2, 1859*.

Leasehold conditions under the *Waste Lands Act 1858* were quite different from those that emerged in Victoria and New South Wales. Roberts regarded the Tasmanian leasehold provisions as insecure tenure and thought these and the 'limits on pre-emption' were obstacles to Tasmania's progress.<sup>92</sup> However, compared with what was happening on the mainland colonies, Tasmanian pastoralists had a degree of security now unattainable in the mainland colonies. Leases were for fourteen years, but the government had the right to resume the lease on six months' notice if it was required for sale or some other public purpose, at which time lessees would be entitled to compensation for improvements. For existing leases, rental was £1 per one hundred acres (that is, £6 8s per square mile); for new leases the price was half that, at 10 shillings per one hundred acres.<sup>93</sup> The old Occupation Licenses were continued, but, although limited to twelve months, they were available on both agricultural and pastoral lands. This section of the act also covered the granting of licenses for felling, removal, and selling of timber, but this removed the system of the 1840s in which different licenses were concurrently issued on the same land.<sup>94</sup>

In New South Wales, land in the settled districts was cheaper, at £2 per square mile, but the term was for one year only. Leases in the unsettled districts were for five years with the rates determined by commissioners.<sup>95</sup> In Victoria, the government made serious attempts to establish agriculture on small farms. Squatters were allowed to remain on their land, until it was required for sale for

---

<sup>92</sup> Roberts, *History of Australian Land Settlement*, pp 294-5.

<sup>93</sup> *Waste Lands Act 1858*, ss 34-39.

<sup>94</sup> *Waste Lands Act 1858*, ss 40-1.

<sup>95</sup> Coghlan, *Labour and Industry in Australia: Vol II*, p 652.

agriculture, although the government had the power to enter and sell lands at any time.<sup>96</sup> Some ten million acres were nominated for agriculture, with two million to be constantly open for selection. Pastoralists were permitted to cultivate only to supply their establishments 'but not for the purposes of sale or barter'.<sup>97</sup> The Victorian squatters' control over pastoral runs was gradually eroded in a succession of land acts. The *Duffy Act* of 1862 limited squatting tenure to ten years and attempted to prevent squatters from purchasing their own runs as selections by using false names (dummying). The *Grant Acts* of 1865 and 1869 opened the back runs of the pastoral leases to selection.<sup>98</sup>

The *Unsettled Lands Act 1858* combined the provisions of the old grant system of the 1820s, with the provisions for leasing from the 1840s. Once more free land was available, in lots from fifty to 640 acres, to applicants who could prove to the Commissioner for Lands that they wished to settle and cultivate, and provided they possessed capital equal in value to £1 for every acre applied for. Applicants were required to make a signed declaration on their statement of capital. The Act also provided for gratuitous pastoral leases on lots up to ten thousand acres. Lessees and grantees were required to meet conditions of residence, make specified improvements, and run stock at the rate of one hundred sheep or twenty cattle per every one thousand acres. Leases could be terminated by the Commissioner after two years upon six months' notice.<sup>99</sup>

---

<sup>96</sup> Roberts, *History of Australian Land Settlement*, pp 236-7.

<sup>97</sup> Victoria. 25 Vic no 145, ss12, 104.

<sup>98</sup> Coghlan, *Labour and Industry in Australia: Vol II*, pp 251-3.

<sup>99</sup> *Unsettled Lands Act 1858*, ss 2-10, 12.

The unsettled lands were also available for purchase, at ten shillings per acre, under the same terms as lands under the *Waste Lands Act*. Selection was also possible at the same price, but here the permitted maximum block size was 640 acres.<sup>100</sup>

## Amendments

Over the next four years, a number of new Waste Lands Acts were passed, but these were nothing more than amendments to the existing acts. Tasmania's land shortage meant that it was difficult to find the maximum area allowed for selection in one lot, so the *Waste Lands Act No 2 1859* allowed selectors to select more than one lot, provided the whole area selected did not exceed 320 acres.<sup>101</sup>

The *Unsettled Lands Act No 2 1859* was an attempt to curtail a land rush by two companies to the south west. The low terms for leasing prompted two mining groups to apply for land; by November 1858 they had applied for over one million acres.<sup>102</sup> These speculators sent a party led by government contract surveyor, W A Tully, to search for gold, but the search was unsuccessful.<sup>103</sup> The *Unsettled Lands Act No 2 1859* reaffirmed the government determination to stimulate settlement in the area by permitting further selections provided the lots adjoined and the maximum area allowed was not exceeded. It also allowed a deduction for early

---

<sup>100</sup> *Unsettled Lands Act 1858*, ss 11, 12.

<sup>101</sup> 23 Vict no 19.

<sup>102</sup> *Hobart Town Daily Mercury*, 27 November 1858, p 3; 10 December 1858, p 3.

<sup>103</sup> 'The Western Country: Mr Tully's Report', *Hobart Town Daily Mercury*, 27 April 1859, pp 2, 3

payment on credit sales.<sup>104</sup> The *Unsettled Lands Act No 3 1859* attempted to prevent early settlers leaving, by requiring lessees to leave all their improvements behind if they withdrew from the lease within the first two or the last three years of the term. It guaranteed compensation for improvements if the lease was terminated by the Lands Commissioner on the grounds that the land was auriferous.<sup>105</sup>

The *Waste Lands Act No 3 1861* opened up the islands around Tasmania for leasing by tender on terms up to fourteen years.<sup>106</sup> The *Waste Lands Act No 4* was designed to encourage the construction of mills, manufactories and irrigation works, and provided for the granting of rights to construct watercourses on public reserves for these purposes. It also made the provisions retrospective in cases where such works had already been constructed.<sup>107</sup>

## Implementation of the Waste Lands Acts

Under the first ministry in the new parliament, Henry Anstey, the member for Oatlands, was appointed Secretary for Lands and Works, but this position was not filled on his resignation in 1857.<sup>108</sup> A later attempt by the Treasurer, Frederick

---

<sup>104</sup> 23 Vict No 20.

<sup>105</sup> 24 Vict. No 11.

<sup>106</sup> 25 Vict No 8.

<sup>107</sup> 26 Vict 1<sup>st</sup> session no 6.

<sup>108</sup> William Champ led the first ministry, with T D Chapman as treasurer. Henry Anstey retired from politics, left the country with his family, and died in Rome in 1862. *Anstey Barton* was subdivided and sold. 'Parliaments', *JHA*, vol XXI, (1871), unpagged; 'Anstey, Thomas (1777 - 1851)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/anstey-thomas-1709/text1859>, published in hardcopy 1966, accessed online 25 February 2010.

Maitland Innes, in 1861, to have the position restored was unsuccessful.<sup>109</sup> As a result, the *Waste Lands Acts* were administered during the first decade of their operation by the Surveyor-General, who answered to the Treasurer. In September 1859, James Erskine Calder became Surveyor-General in place of James Sprent, and continued in this position until 1870.<sup>110</sup>

Regulations associated with the *Waste Lands Acts* usually emerged as circumstances dictated afterwards, and were issued by either the Survey Department or the Executive. Regulations related to selections were issued in 1858. The first, designed to regulate access to water and transport, required lots fronting to a river, road, or Crown reserve to be surveyed with a frontage one third the depth of the lot. The second regulation made auction mandatory if there were two applicants for the same land.<sup>111</sup>

In 1857, Premier T G Gregson, issued the instruction to the Survey Department that was to be Tasmania's guiding principle in the operation of the land acts, namely, to 'cut up the land to the best advantage, surveying no land worth less than 10s [ten shillings] per acre'. He also ordered the Surveyor-General to prepare blocks for sale from the pastoral leases that had expired.<sup>112</sup> Leaseholders were advised that one of the conditions of the renewal of the annual occupation licenses was that such lands were open for sale, and, if sold, the lands would be resumed

---

<sup>109</sup> *Mercury*, 29 October 1861, p 2.

<sup>110</sup> Jack Thwaites, 'Calder, James Erskine (1808–1882)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/calder-james-erskine-1865/text2173>, published in hardcopy 1966, accessed online 23 April 2014.

<sup>111</sup> 'Land Regulations', *HTG*, 9 March 1858, p 237.

<sup>112</sup> 'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), pp 11-12.

within two months.<sup>113</sup> Holders of current leases could find they were asked to vacate the property if a purchaser had applied for their land, which would then be put up for auction.<sup>114</sup> The Weston and Smith ministries (April 1857 to August 1861) continued with Gregson's approach.

A typical example of a pastoral lease cut up in this manner is shown below. The Derwent Valley property, formerly leased to pastoralist W Jarvis, had a narrow frontage onto Johnnys Creek, and adjoined a lease to William Dean, of *Belmont*. In 1858, the Survey Department cut this into eight lots, each ranging from fifty-five to seventy-six acres, and offered these for sale as agricultural land. Only two lots had been sold by 1860. One of these had access to water, and it was purchased by a minor, 'Jno Milward'. The other was purchased by David Bowtell.<sup>115</sup> Bowtell was the commercial manager for the *Mercury*, and resided in Hobart. David and George Bowtell (possibly a brother) owned other land in the New Norfolk district.<sup>116</sup>

The map of the area is shown below (Map 3.1). Copies of this would have been provided by the Survey Department to potential purchasers; it survived in a file of papers related to the land grants of William Dean. Dean himself purchased none of these blocks, but pastoralists did like to know what land was being sold in their neighbourhood and who was buying.

---

<sup>113</sup> 'Survey Office: Notice to Crown Licensees', *HTG*, 11 May 1858, p 659.

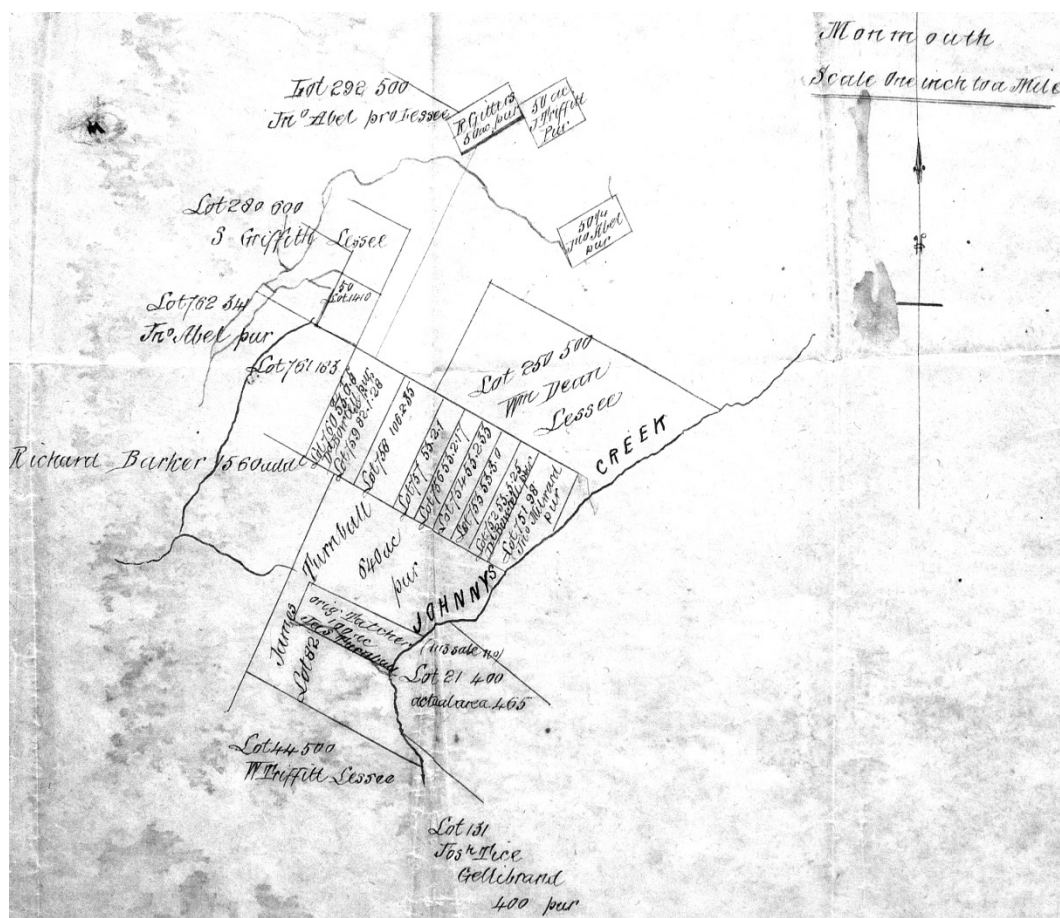
<sup>114</sup> Letter to Mr Smithies from J Sprent, 6 August 1858, Surveyor-General's Letterbooks 22 July 1858 – 24 December 1859, LSD16/1/15, 3, TAHO.

<sup>115</sup> *Hobart Town Daily Mercury*, 21 July 1858, p 6; 'Sale of Crown Lands', *Launceston Examiner*, 3 March 1860, p 7.

<sup>116</sup> Valuation Roll for the District of New Norfolk 1861, *HTG*, 10 December 1861, pp 1841-8; *Mercury*, 4 August 1862, p 2. George Bowtell was the right age to be a brother. He died suddenly at Battery Point, aged 36. *Mercury*, 26 July 1873, p 1.



Map 3.1: Lands for Sale County Monmouth, Parish Lansdowne, 1858



Source: William Dean-Correspondence with the Lands Department Concerning his Properties, NS93/1/3, TAHO.

The problems with the government policy of subdividing pastoral leases into lots for small farms are immediately obvious. Seven of these lots had no access to water.<sup>117</sup> There were no roads into these blocks, and even after the advent of the Derwent Valley railway in 1886, the line terminated miles away at New Norfolk.<sup>118</sup>

<sup>117</sup> These had been marked in contravention to the regulations regarding access to water. 'Land Regulations', *HTG*, 9 March 1858, p 237.

<sup>118</sup> 'Derwent Valley Railway', *Launceston Examiner*, 14 March 1883, p 3.

The government practice of selling off small blocks of land without providing access was widespread across Tasmania, as was the practice of bullying selectors off their lands with threats of trespass. James Fenton, at Forth, said of the people who settled on the bush lands in northern Tasmania, 'They were too good for a Colony, whose government entrapped them into the forests, and then left them without the means of getting their produce to market.'<sup>119</sup>

Fenton related the case of eight settlers on a square mile section in the Leven district who took over an old timber splitters' road, to which they were told they had a right, only to be charged by the owner with trespass. The local justices sympathised with their difficulties, and fined them a token one shilling each and costs. Thereafter they were grudgingly allowed to use the road until the government constructed a slab road to the blocks in 1864.<sup>120</sup>

The same thing might have happened at Johnnys Creek. In November 1863, landowner S Griffiths, of Back River (New Norfolk), placed an advertisement in the *Mercury* threatening legal action against all persons who trespassed on his land at Johnnys Creek under the pretense of a right of road or otherwise.<sup>121</sup> Whether they were intimidated or simply unable to use the land profitably, two purchasers, David Bowtell and W Guest, had defaulted on their blocks by 1864. They lost £21 14s and £14 15s respectively.<sup>122</sup> There is no evidence of any of

---

<sup>119</sup> James Fenton, *Bush Life in Tasmania Fifty Years Ago*, (Launceston, nd), p 104.

<sup>120</sup> Fenton, *Bush Life*, pp 104-5.

<sup>121</sup> 'Caution', *Mercury*, 27 November 1863, p 1.

<sup>122</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), pp 39, 63.

these lots still being owned or occupied by 1867.<sup>123</sup> David Bowtell left to work in Victoria and, after being wrongfully arrested and charged with deserting his family who were still in Hobart, was allowed to return to his employment in Victoria, taking his four children with him.<sup>124</sup>

When the first land was offered in Victoria under the *Duffy Act*, four years after the introduction of Tasmania's legislation, the land offices were rushed and almost half a million acres were selected in nine days.<sup>125</sup> By contrast, the Tasmanian sales started slowly. They did, however, establish some trends that persisted throughout the first decade. No pastoral land was offered at the first Hobart sales. The Launceston auctions offered thirty-five lots, all cut from former pastoral leases and about half the offerings sold. The trend to forming large estates observed in the 1830s continued, with one buying group purchasing more than half the lots sold for cash.<sup>126</sup>

Almost equal numbers of agricultural lots, between thirty-three and thirty-six lots, were offered at Hobart and Launceston, but at the Launceston sales the agricultural blocks were larger and the upset price, at just over £1 per acre, lower than Hobart's £2 per acre. Demand was greater at Launceston and most buyers preferred credit. The agricultural blocks at Launceston were cut from former

---

<sup>123</sup> The rolls do not use the name 'Johnnys Creek' to identify the location, but this conclusion is based on the fact that the selectors' names do not appear in the rolls. Assessment Roll for the Municipality of New Norfolk for the Year 1867, *HTG*, 30 April 1867, pp 835-42.

<sup>124</sup> *Mercury*, 10 December 1866, p 3.

<sup>125</sup> Roberts, *History of Australian Land Settlement*, p 252.

<sup>126</sup> Calculated from 'Waste Lands: Returns Furnished to the Select Committee Appointed to Inquire Into "The Waste Lands Act"', *JHA*, VII, paper 131, (1861), pp 6-7, 14-24.

pastoral leases, *Malahide Estate* or from part of the Evercreech Township Reserve which had been leased to the trustees of *Malahide Estate*.<sup>127</sup>

The supply of land at auction far exceeded the demand, and continued to do so during the operation of the Waste Lands Acts. The government strategy of selling most land at auction certainly paid off in 1858-9. Pastoral land at auction fetched an average of £1 4s per acre, and agricultural land averaged £2 15s at Hobart and £2 11s at Launceston.<sup>128</sup> Any buyer who could obtain land at £1 per acre by any other process was well advised to forsake auction.

Sales under section 18 of the land that had failed to sell at auction remained slow throughout the 1858, with only fifteen agricultural lots sold throughout the year. By 1864, seven of these purchases were in default.<sup>129</sup> There were no sales of pastoral land for cash in 1858, but seven lots, total area 3,300 acres, were sold on credit. Five had been offered at the May auctions. By 1864, two of these were in default. Pastoralist Charles Headlam, who purchased several lots, subsequently defaulted on one lot, losing £308 in the deal.<sup>130</sup> All of this suggests that land not snapped up at auction was less desirable. Even where buyers were prepared to risk a purchase on credit, the return on these lots must have been insufficient to make it worthwhile to complete the sale. Alternatively, pastoralists may have simply

---

<sup>127</sup> Calculated from 'Waste Lands: Returns Furnished to the Select Committee Appointed to Inquire Into "The Waste Lands Act"', *JHA*, VII, paper 131, (1861), pp 8-10.

<sup>128</sup> Calculated from 'Waste Lands: Returns Furnished to the Select Committee Appointed to Inquire Into "The Waste Lands Act"', *JHA*, VII, paper 131, (1861), pp 3-5, 8-11.

<sup>129</sup> Calculated from 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), pp 37-58.

<sup>130</sup> Calculated from 'Waste Lands: Returns Furnished to the Select Committee Appointed to Inquire Into "The Waste Lands Act"', *JHA*, VII, paper 131, (1861), p 5; 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), pp 71-2.

paid the deposit in order to keep out other purchasers and continued to run stock there.

Selection was another matter. There were twenty-nine cash sales for a total area of 3,271 acres during 1858, with one woman and two juniors selecting. Ninety-eight lots, a total of 10,382 acres, were selected on credit in 1858, and nineteen of these were paid in full before time. By 1864, only five had defaulted. Unlike the agricultural lots auctioned, which had been cut from previously surveyed pastoral leases, many of the selections were located on the frontier of settlement. In the south they extended from Huonville (then called Victoria) and Franklin to Mountain River, Egg Island, and the Kermandie River. In the north, they included the areas around Port Sorell and the Don and Inglis Rivers.<sup>131</sup>

Small farmers might be taking up land, but the overall result of the first year of operation of the *Waste Lands Act* was to increase the holdings of the large landowners. By the end of 1859, forty-four per cent of the total acreage sold had been purchased by just thirty-four buyers.<sup>132</sup>

## Parliamentary Enquiries

From 1860 to 1863 several select committees initiated in the House of Assembly conducted enquiries into the operation of the *Waste Lands Acts*.<sup>133</sup> The committees

---

<sup>131</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), pp 44-58.

<sup>132</sup> 'Statistics of Tasmania 1859: Return of Crown Lands Sold During the Year 1859', *JHA*, V, paper 1, (1860), p 58.

<sup>133</sup> 'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), pp 4-19; 'Waste Lands: Returns Furnished to the Select Committee

presented reports that culminated with draft legislation for a new lands act, and a further report on the draft.<sup>134</sup>

The committees included a mixture of squatters and improvers. Committee members representing the squatting interest included pastoralists Allison (of the 1851 Regulations) and Sharland, both of whom had served on the land committees of the old Legislative Council.<sup>135</sup> There were newcomers to the committee. Henry Dowling, a Baptist minister with interests in business and immigration, represented Launceston.<sup>136</sup> Other new members to the waste lands committees from 1861 were John Davies, owner of the *Mercury*, and John D Balfe, a large landowner in the Huon district. They brought the land improvers zeal to the land committees, Davies promoting the well-being of the working man and Balfe campaigning for the cause of the small farmer.<sup>137</sup> In 1862, pastoralists William Archer, from *Woolmer's Estate* in northern Tasmania, and John Meredith, the Tasmania-born son of east coast pioneer, George Meredith, joined the committee, along with businessman and race-horse breeder, William Dodery.<sup>138</sup>

---

Appointed to Inquire into the Working of "The Waste Lands Act", *JHA*, VII, paper 131, (1861), pp 4-36; 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), pp 4-37.

<sup>134</sup> 'Report of the Select Committee Appointed to Consider the Waste Lands Bill', *JHA*, X part 2, paper 64, (1863), pp 4-19.

<sup>135</sup> 'Votes and Proceedings', *VDLLCJ*, 1, (1852), p 172.

<sup>136</sup> Isabella J Mead, 'Dowling, Henry (1780–1869)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/dowling-henry-1988/text2419>, published in hardcopy 1966, accessed online 5 May 2011.

<sup>137</sup> Petrow, 'The Bully of Tasmanian Politics', pp 117-34; S Petrow, 'Outsider in Politics: John Davies in Parliament 1861-1872', *THRA Papers and Proceedings*, 50, no 4, (2003), pp 241-52.

<sup>138</sup> Bennett, *Biographical Register*, pp 5, 47, 115.

All committees found that lack of transport delayed settlement of the waste lands and created hardship for landholders; it also reduced demand for Crown land.<sup>139</sup> Some giving evidence thought improved roads would raise the value of the lands. Sir Richard Dry, pastoralist, son of an emancipist and longtime member of the Legislative Council, argued that, with proper roads, land would be worth from £5 to £6 per acre.<sup>140</sup> A more realistic view was expressed by a selector from Port Sorell, H Rockliffe, who thought that some agriculturalists in his neighbourhood had found their way onto bad land quite soon enough without roads being open.<sup>141</sup> William Archer argued for planned agricultural settlement, limited to one district only at a time to allow the building of a road, a school, a court house, a mill, and port facilities. He proposed to fund this from the sale of Crown lands.<sup>142</sup>

The question of who should control road funds was discussed, and this was to recur over the next thirty years. Generally pastoralists supported local control of funding and building; the improvers argued for parliamentary control with a predetermined allocation for new lands being settled. The committee of 1862 claimed that funds allocated by parliament for road making had been diverted by the Survey Department for the purpose of making surveys and cutting tracks in

---

<sup>139</sup> 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), pp 6-9.

<sup>140</sup> 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), p 10. For Richard Dry, see John Reynolds, 'Dry, Sir Richard (1815–1869)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/dry-sir-richard-1999/text2439>, published in hardcopy 1966, accessed online 5 November 2013.

<sup>141</sup> Rockliffe had selected 200 acres on credit in 1858; 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), p46. 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), pp 30-3.

<sup>142</sup> 'Waste Lands Act Additional Replies', *JHA*, VIII, paper 124, (1862), p 4.

preparation for land sales. It recommended that future expenditure for roads should not be placed under the control of the Survey Department.<sup>143</sup>

Almost all evidence called for credit relief for existing purchasers. Prices for agricultural produce had fallen in the early sixties and the small settlers were finding life hard.<sup>144</sup> William Archer thought both selectors and pre-emptive rights holders would have difficulty paying for their land because of the low prices and bad seasons.<sup>145</sup> What clinched the argument for credit relief was, however, not the plight of the small farmer, but the plight of the pastoralists. A number of those who held land under the pre-emptive rights regulations of 1851, and who had not yet paid for this, petitioned the Legislative Council for credit relief on the basis of the current hard times.<sup>146</sup>

The question of immigration arose again. The committee of 1861 wondered if immigrants might be encouraged by giving away agricultural land on condition that it was improved. The Surveyor-General thought not, but Richard Dry saw free land as an incentive, although he did not think immigrants should not be put on the land as paupers.<sup>147</sup> It is difficult to say from Dry's response whether he was objecting to pauper immigration generally, or whether he thought lack of capital was a bar to improving the land. Pastoralist Captain William Langdon suggested 3,000 acres of land in the Hamilton district should be made available to

---

<sup>143</sup> 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), pp 4-37.

<sup>144</sup> 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862) pp 8-11.

<sup>145</sup> 'Waste Lands Act Additional Replies', *JHA*, VIII, paper 124, (1862),p 4.

<sup>146</sup> 'Waste Lands Bill, No 3, 1863: Petition', *LCJ*, IX, paper 59, (1863), p 4.

<sup>147</sup> 'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), p 10.



immigrants for selection in eighty acre blocks. He thought this would support a man growing oats in his district (Derwent Valley), though the district would not grow wheat.<sup>148</sup>

In 1861 a select committee on immigration added to the land debate. It revealed disappointment with the present immigrants whose fares were paid under the bounty system, and dissatisfaction with the cost of running the Immigration Department. It recommended the bounty system be discontinued and instead incentives be offered to full fare-paying immigrants in the form of land orders for the purchase of land.<sup>149</sup> Funding for the bounty system was withdrawn, but it was not until 1867 that the other recommendations were acted upon. This will be discussed in chapters four and five.

The evidence uncovered by the committees found problems with the *Waste Lands Acts*, but revealed even more about Tasmanian society. It was recognised that auction sales were effective in raising revenue, but there was widespread resentment against alleged speculators, who were able to outbid the small settlers at auction and who held the land without cultivating it, particularly in the north.<sup>150</sup> William Moore, timber merchant, parliamentarian and magistrate at Table Cape in the north-west, reported that land in his district had been sold for speculation.<sup>151</sup> This was more than the process of 'dummying', so widespread under selection everywhere. Capitalists had advanced money to small settlers to meet government

---

<sup>148</sup> 'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), pp 6-7.

<sup>149</sup> 'Immigration: Report from the Select Committee', *JHA*, VII, paper 150, (1861), pp 6-13.

<sup>150</sup> 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), pp 7-11.

<sup>151</sup> Bennett, *Biographical Register*, pp 118-9.

requirements, had taken the land as security and advanced loans at twenty per cent to the settlers, and then, when the small man had cleared the land, they foreclosed.<sup>152</sup>

Small settlers resented those who held lands under the 1851 regulations. H J Emmet of Circular Head complained of land being held unoccupied by a speculator for ten years until the resale value was sufficient.<sup>153</sup> A settler from Franklin, Robert Bell, thought 'the pre-emptive right system has been a great bar to settlement in this district, as it has completely locked the Land from the practical cultivators of the soil'.<sup>154</sup>

On the other side of the debate were the pastoralists, many of whom demonstrated major opposition to selection and displayed dislike and distrust of the small settlers. Sir Richard Dry did not think small selections should be permitted, although small lots in remote parts of the country should be sold. He thought selections were made with a view to lessening the value of surrounding lands to others, and were sometimes made for the purpose of cutting off access to water from large tracts of land. His opinion was supported by pastoralist John Meredith.<sup>155</sup> There is no evidence to show this happened in Tasmania. Selection was not permitted in the pastoral districts, and the Surveyor-General, J E Calder, explained to the committee that selections were not permitted in a way that cut off

---

<sup>152</sup> 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), pp 6-8.

<sup>153</sup> 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), pp 14-18.

<sup>154</sup> 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), pp 12-3.

<sup>155</sup> 'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), pp 9-10.

the back blocks from water.<sup>156</sup> Selectors may not have been able to do this, but, in the case of Johnnys Creek discussed above, it was the Survey Department who had marked off the agricultural blocks in such a way as to cut off the back blocks of agricultural land from the creek.

There was indeed almost a hatred of the small farmer, and this certainly arose from dislike of the possibility that emancipists and servants could become landholders. The select committee of 1862 asked respondents how many selectors had taken up land in their neighbourhoods, and to what class these generally belonged. All responses emphasized the industrious nature and respectability of the selectors, who, respondents claimed, were agricultural and skilled labourers, tradesmen, and the sons of small farmers and immigrants. On the basis that selectors were 'labouring classes, tradesmen, and small capitalists' and that it took two years to make a paying crop on new land, the committee recommended that selectors be given an extension of credit.<sup>157</sup>

Landed proprietors would pay high prices to keep out small settlers, regardless of whether these had been prisoners or free men, and would act together to outbid small buyers at auction. Captain Langdon thought the present objections to emigrant settlers arose from 'when the agricultural servants were of a different class', (that is, emancipists). Although they were better now, he still intended to purchase a neighbouring block of twenty acres rather than let a small farmer buy

---

<sup>156</sup> 'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), p 8.

<sup>157</sup> 'Waste Lands Act: Report from the Select Committee,' *JHA*, VIII, paper 111, (1862), pp 4, 8, 10-11, 20.

it. Langdon expected the small farmer would then probably be forced to sell his remaining sixty acres.<sup>158</sup>

These objections did not extend to former servants who were willing to become tenant farmers. Those who were 'industrious men' and 'servants of good character' might be allowed to hold land on their former employer's estate and cultivate it, although 'there is certainly an objection that their servants should become small proprietors on their land'.<sup>159</sup> There was less prejudice against small agriculturalists in the northern counties; the Surveyor-General observed that new homesteads were daily forming in the north.<sup>160</sup>

The select committee of 1861 resulted in the formation of a parliamentary road committee. The committee wanted the agricultural lands opened up by roads before they were sold, and recommended tramways and ordinary bush roads to promote settlement. It found 900,000 acres of Crown land that could be opened, but over half this was in the pastoral midlands district, and therefore excluded from selection. The north coast required about 100 miles of road to open 150,000 acres; the east coast required ninety miles of road to open 200,000 acres; and in the south between four and ten miles of road would bring about 100,000 acres within reach of water transport.<sup>161</sup>

---

<sup>158</sup> 'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), p 7.

<sup>159</sup> 'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), pp 5-7.

<sup>160</sup> 'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), p 10.

<sup>161</sup> *Mercury*, 26 September 1861, p 3, 24 January 1862, p 2.

When the proposal to allocate £12,000 for these roads from the land fund was discussed in the House of Assembly, it met with some opposition. The improvers, Balfe and Chapman, wanted money for roads. The squatting faction was divided on the issue. Robert Quayle Kermode, of *Mona Vale*, claimed to be surprised that so much money had already been allocated for roads, but another pastoralist, John Meredith, pointed out that Kermode's land, one of the finest estates in Tasmania, was well-served by the main road from Hobart to Launceston, which was maintained, not by local rates, but by the government. He, Meredith, was prepared to vote for roads and to pay road rates as well, if it would bring his lands at Oatlands and Avoca closer to transport. The money was passed in the House, along with £5,000 for tramways to transport timber from the bush to the ports in the Huon.<sup>162</sup>

However, when this went to the Legislative Council, the money for the tramways in the Huon was voted out, mainly on the influence of T Y Lowes, MLC for Buckingham. Lowes had been a beneficiary of the 1820s free grants and was now treasurer of the New Town Race Course.<sup>163</sup> A correspondent to the *Mercury*, 'Eucalyptus', pointed out that this left the timber getters in the Huon unable to fill orders from Melbourne, because once the winter rains started, there was no way to get the timber out to the ports. If a grant for a horse race had been under consideration, said 'Eucalyptus', the member for Buckingham would have approved.<sup>164</sup>

---

<sup>162</sup> *Mercury*, 25 January 1862, p 3.

<sup>163</sup> Bennett, *Biographical Register*, p 101.

<sup>164</sup> 'Tramways', *Mercury*, 6 February 1862, p 2.

Some of these works were actually commenced, for example, work on the Sorell Causeway had begun in 1861, and the additional funding was to ensure its completion in an effort to revitalize agriculture in the district.<sup>165</sup> However, trouble was looming for the government and works not completed by mid-1862 were destined to wait a long time, as the next chapter will show.

## **Results under the Waste Lands Acts 1858-62**

Four years after the passing of the *Waste Lands Act 1858*, the Surveyor-General commented ‘...the passing of the Waste Land Act gave new life to the country; and the yearly disposal of more than 87,000 acres attests its success’.<sup>166</sup> So how successful were these first land acts?

The Waste Lands Acts had provided sufficient revenue for the government to avoid the cash crisis it had faced in 1858, and to compensate somewhat for the declining customs revenue, altogether bringing in £208,185. The government could look forward to another £270,000 going into the Treasury someday if the existing credit purchasers honoured their debts.<sup>167</sup> The government had land assets of over 230,000 acres surveyed and ready to dispose of if it could find buyers; half of this was pastoral land that had failed to sell at auction. Only 3,780 acres had been surveyed in preparation for selection.<sup>168</sup>

---

<sup>165</sup> *Mercury*, 22 May 1861, p 2.

<sup>166</sup> ‘The Land Gazette’ in ‘Lands of Tasmania’, *JHA*, VIII, paper 46, (1862), p 3.

<sup>167</sup> Calculated to 31 December 1861 from ‘The Land Gazette’ in ‘Lands of Tasmania’, *JHA*, VIII, paper 46, (1862), p 3.

<sup>168</sup> ‘Waste Lands: Returns Furnished to the Select Committee’, paper 131, (1861).

The land sales were essential for running the country. In 1861 they earned £34,338, contributing just over thirteen per cent of the total revenue for the year.<sup>169</sup> The land fund paid for the operations and administration of the Waste Lands Acts, including the Survey Department. It paid for the Aborigines Establishment, the Public Works Department, the Immigration Department and the interest due on debentures.<sup>170</sup>

The purchasing patterns of buyers are shown in Figure 3.1, in which sales are charted for each land classification and mode of sale.<sup>171</sup> These show buyers preferred credit for all classes of land. For pastoral and agricultural sales at auction and by private contract, three times the acreage was sold on credit as on cash. Selectors purchased six times the acreage on credit that they selected on cash.

The highest sales in a single category were in selection by credit and credit pastoral sales at auction, with both selling about 65,000 acres.<sup>172</sup> Overall, pastoral land outsold agricultural land, at 183,161 acres to 150,430 acres. Selection has been included in this total for agricultural lands, and accounted for just over half the sales of agricultural land.<sup>173</sup>

---

<sup>169</sup> 'Waste Lands: Returns Furnished to the Select Committee', paper 131, (1861), p 29.

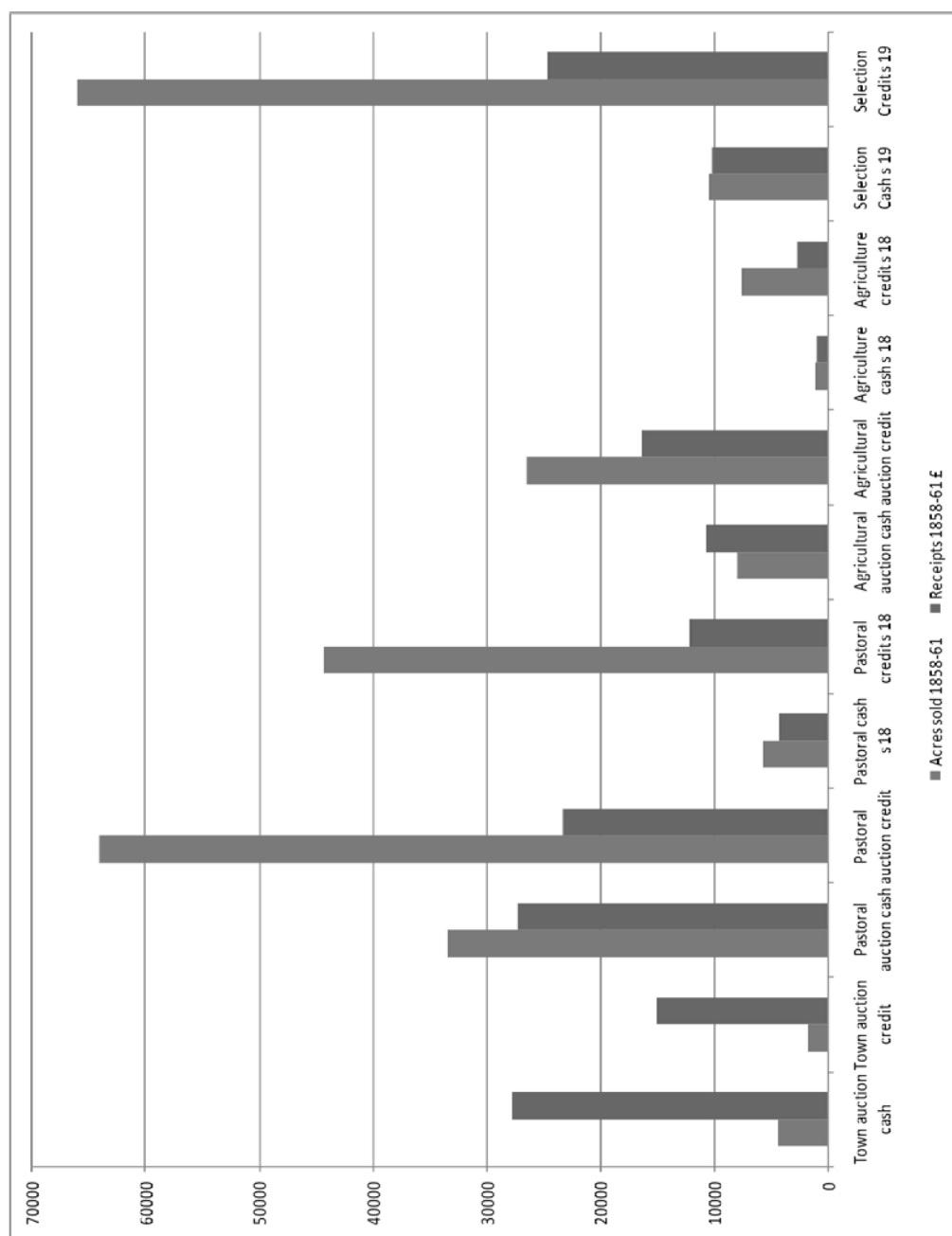
<sup>170</sup> 'Land Fund: Comparative Statement', *JHA*, IV, paper 80, (1858), p 4.

<sup>171</sup> Land sales 1858-61 calculated from 'Waste Lands: Returns Furnished to the Select Committee', *JHA*, VII, paper 131, 1861, pp 3-34; Town lands calculated from 'Lands of Tasmania', *JHA*, XIII, paper 27, 1866, pp 7-25, 28-9.

<sup>172</sup> Different amounts are reported in 'Lands of Tasmania Report by the Surveyor-General', *JHA*, XI, paper 18, (1864), pp 3-4, 16-24, and in 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866). Reasons for the differences are not clear; the later figures are higher.

<sup>173</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866). Selection calculated from 'Lands of Tasmania', *JHA*, XI, paper 18, (1864).

Figure 3.1: Land Sales 1858-61



Source: Calculated from 'Waste Lands: Returns Furnished to the Select Committee Appointed to Inquire into "The Waste Lands Act"', *JHA*, VII, paper 131, (1861), pp ii-v, 4-100; Town lands calculated from 'Lands of Tasmania: Report by the Surveyor-General', *JHA*, XI, paper 18, (1864), pp 20-44. Receipts are actual amounts received to date, not selling price. Acreages do not include purchases in default.



Pastoral land was cheaper than agricultural land, with buyers paying slightly less than £1 per acre, while purchasers of agricultural land paid £1 or more. At auction, the average price paid by buyers of agricultural land was £1 7s per acre.<sup>174</sup>

The charts tell only part of the story. The *Waste Lands Acts* resulted in a pastoral land rush, in which the existing landowners extended their holdings. The wool kings purchased their leases as the Survey Department brought these onto the market. In the three years following the *Waste Lands Act 1858* some 370 leases were sold; almost one third were purchased by the current leaseholder.<sup>175</sup> They purchased at auction, mostly on credit. Charles Headlam, F Flexmore, and P T Smith each bought between 5,000 and 6,000 acres at the Great Lake, and J Jones just over 7,000 acres at Arthur's Lake. Since there were no safeguards restricting sales to residents, absentee landlord, W J T Clarke, continued to build up his Tasmanian empire by purchasing almost 6,000 acres.<sup>176</sup>

The exception to these was Askin Morrison, the largest purchaser of all. Trader, Hobart merchant, pastoralist, and elected to the House of Assembly at self-government, Morrison preferred cash.<sup>177</sup> He purchased an astounding 11,770 acres

---

<sup>174</sup> Calculated from 'Waste Lands', *JHA*, VII, paper 131, (1861), pp 6,10.

<sup>175</sup> 'Rented Lands Sold', *JHA*, VII, paper 51, (1861), pp 3-8.

<sup>176</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), pp 70-9.

<sup>177</sup> Peter Bolger, 'Morrison, Askin (1800–1876)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/morrison-askin-4255/text6877>, published in hardcopy 1974, accessed online 30 May 2010.

between 1858 and 1864, mostly in the pastoral districts of Oatlands and Arthurs Lake.<sup>178</sup>

Agricultural lots sold at auction were also the target of a pastoral land grab, with over half purchased by pastoralists. Robert Kermode of *Mona Vale* purchased five lots for cash. Credit purchasers of agricultural land included R G Talbot of the *Malahide* family, with thirteen lots; absentee landlord W J T Clarke with five lots; and pastoralists George Armytage and Simeon Lord with multiple lots. Launceston businessman, Henry Reed, purchased sixteen lots in Parish Alphington (near the present site of Chudleigh).<sup>179</sup> No doubt the latter were intended for tenant farmers.

Pastoralists also bought up town lands. Some purchases, such as Richard Dry's six lots in George Town, and Edward Bisdee's five lots in Apsley were possibly for investment or speculation.<sup>180</sup> James Maclanachan, pastoralist and sometime parliamentarian, purchased twenty-eight lots in the midlands town of Tunbridge.<sup>181</sup> These were probably used to run sheep. By 1863, pastoralists were complaining that, when they had bought a whole town, it was inconvenient to have their sheep run divided by roads.<sup>182</sup>

---

<sup>178</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, 1866, pp 70-9.

<sup>179</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), pp 59-68.

<sup>180</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), p 24.

<sup>181</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, 1866, pp 30-34.

<sup>182</sup> *Mercury*, 31 August 1863, p 3.

Although it is not possible to know who the ‘dummies’ were under selection, and there were pastoralists who selected agricultural lots, the lists do show that there were genuine selectors, men such as John Woolley at Franklin, John Bell at Mountain River, and Henry Dean at Victoria (now Huonville).<sup>183</sup> Some of the descendants of these people still live in the region where their ancestors first selected.<sup>184</sup>

The pastoral industry had acquired over 147,000 acres of land, and another 119,000 acres had been sold as agricultural land. If the percentage of agricultural land purchased by pastoralists is factored in, the wool industry had gained another 206,000 acres, excluding any additional land it may have acquired under the selection provisions. What impact did this have on outputs in the rural industries?

The quantity of wool exported fell by half a million pounds, between 1858 and 1862, and the value of wool exports declined from £397,533 in 1858 to £366,350 in 1862.<sup>185</sup> Sheep numbers hardly changed. The reported increase in sheep numbers between 1858 and 1862 was the result of counting errors; numbers actually declined by 83,493. The pastures, said the Surveyor-General, J E Calder, had reached their limits, like those of Victoria and New South Wales. He was firmly committed to the improvement of land. He thought if the practice of killing

---

<sup>183</sup> ‘Lands of Tasmania’, *JHA*, XIII, paper 27 (1866), pp 56-9.

<sup>184</sup> Woolley and Smith, *A History of the Huon Vol 1*, pp 112, 141.

<sup>185</sup> ‘Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890’, *TJPP*, XXIV, (1891), pp 6, 10-11.

the trees on the open forest pastures were to become more widespread, carrying capacity would be increased and the wool clip improved.<sup>186</sup>

The unsettled lands had attracted some interest from leaseholders, with 44,520 acres held under lease by late in 1860. They had failed to attract settlers, with only 400 acres occupied under the provisions for free grants. Another 1,920 acres had been sold; of these 640 acres had been paid for, the remainder being taken on credit.<sup>187</sup> The parliament might believe that it was possible to improve the unsettled lands, but it seems Tasmanians were not prepared to risk the expenditure of their capital and labour to test it.

Town lands, while not the primary focus of this study, are useful as an economic indicator. The big year for town land sales was 1859, when 627 lots sold. This was only exceeded twice between 1830 and 1864, in the gold rush years of prosperity, 1854 and 1855. In 1859, there were rumours of gold in the Fingal District on the east coast.<sup>188</sup> These appear to have fuelled a buying frenzy. Some sixty lots sold in Fingal, and 164 lots sold in the nearby township of Mangana. Buyers were hoping for another Ballarat, but within the first year after payment of the deposit, forty-three of the Mangana lots were surrendered. An interesting feature about Mangana is the very small area of the blocks, twenty-two to twenty-eight perches (an area ranging from just over one tenth of an acre to just under one fifth of an acre), at a time when town lot sizes from two to ten acres were common

---

<sup>186</sup> 'Lands of Tasmania: Report by the Surveyor-General', *JHA*, XI, paper 18, 1864, p 9.

<sup>187</sup> 'Return Relative to Land in the Unsettled District', *LCJ*, V, paper 21, (1860), unpagged.

<sup>188</sup> 'The Fingal Goldfields', *Mercury*, 11 May 1859, p 2.

in Tasmania. The Survey Department, or the Treasurer, had apparently anticipated the gold rush and decided it offered an opportunity for the government to profit.

By 1862 the economic depression was beginning to bite and the land sales reflect this. Sales of both pastoral and agricultural land declined sharply in 1862. Pastoral sales fell from almost 62,000 acres in 1861 to just 14,000 in 1862. Agricultural land sales were steadier, falling from 39,500 acres in 1861 to just under 23,000 acres in 1862.<sup>189</sup> In 1859, the value of town lands sold reached £20,000; in 1860 this fell to £8,519; by 1862 it was just under £4,000. Speculators became increasingly reluctant to invest without a certainty of return, and the average price of town lands fell from almost £8 per acre in 1859, the year of the Mangana gold speculation, to just £4 14s in 1862.<sup>190</sup>

Much of the land sold and selected for agricultural use was heavily forested, and it would be years before any major returns could be expected from it. Agriculture did show some expansion, with an increase of 10,000 acres in crop, and some 30,000 acres more described as ‘under cultivation’, presumably cleared but either under grass or not yet in crop.<sup>191</sup> The production for the main crops for the two years, 1858 and 1862 is shown in Table 3.1. All grain crops increased; barley production, although small compared with wheat, almost doubled. Of the new crops, both apples and potatoes increased.

---

<sup>189</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), p 79.

<sup>190</sup> Calculated from 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), p 79.

<sup>191</sup> 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, 1891, pp 10-1.

Table 3.1: Agricultural Output under the *Waste Lands Act 1858*

Crops	1858/9	1862
Wheat bushels	930,298	1,008,569
Oats bushels	632,461	737,633
Barley bushels	102,631	199,310
Apples bushels	89,327	131,254
Pears bushels	32,285	26,575
Potatoes tons	37,762	39,553

Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), pp 10-11.

The big problem in the sixties, for both agriculturalists and the government, was that increased production did not lead to increased export earnings. The export values for grain, grain products and hay declined from £288,198 in 1858 to £203,128 in 1862. The values of fruit, jam and vegetables exported fell from £125,355 in 1858 to £87,622 in 1862. The classifications used in the statistics for quantities produced do not match these used for export values, but there is evidence that prices for farm products declined sharply in the early sixties, and this is examined below.

### **How did the small farmers live?**

By 1862, all farming districts in Tasmania were complaining of hard times. The later chapters use narratives compiled by selectors and small farmers, but it has been difficult to find useful accounts written by the first selectors under the *Waste Lands Act 1858*. It is still possible, however, to understand something of their

lives and how this translated into the wider economy. The *Mercury* reported in 1862 that ‘agriculture can no longer be pursued with any certainty or any great prospect of a profitable return’.<sup>192</sup> Initially, the *Mercury* blamed farmers for neglecting to maintain soil fertility on their farms; easy profits had been made during the gold rush years without this essential maintenance. Two months later, it claimed the problems were caused by the lack of roads and railways, which increased farmers’ costs of bringing produce to market.<sup>193</sup> It also blamed falling prices, which made it unprofitable to export grain crops to England after the other Australian colonies began producing their own needs. The *Mercury* reported that ‘It is the veriest folly to go on cultivating year after year crops which no longer find a paying market’.<sup>194</sup> Yet, as the table above shows, this is precisely what Tasmanian farmers were doing.

Those who were clearing the forest lands had little option. The established practice in Tasmania was to ring bark the large trees, cut out and burn the understory, and chip in crops of grass or potatoes around the standing trees. Farming then continued for years around the standing trees until they fell down.<sup>195</sup> This, as much as the poverty of the selectors, constrained the choices of crops and the type of farm machinery that could be used.

A correspondent for the *Cornwall Chronicle* attempted to determine the production costs for the major farm crops. He quoted a set of figures by

---

<sup>192</sup> *Mercury*, 30 May 1862, p2.

<sup>193</sup> *Mercury*, 28 July 1862, p 2.

<sup>194</sup> *Mercury*, 30 May 1862, p2.

<sup>195</sup> Fenton, *Bush Life*, pp 53-5.

parliamentarian William Archer, but these did not include costs of farm rental or land repayments. Archer thought it cost from one shilling and nine pence to two shillings a bushel to produce wheat; oats cost less than wheat to produce, between one shilling and three pence and one shilling and six pence; barley was dearer from two shillings to two and six pence. Potatoes cost from £2 to £2 10 shillings per ton to produce.<sup>196</sup> In most places in Tasmania in 1862, grains sold from three to six shillings a bushel, with barley slightly higher than the other grains; potatoes sold from £3 to £5 per ton.<sup>197</sup>

When the land instalments are added in, the results are disastrous. A selector purchasing eighty acres would have to pay an annual installment of £9 12s for ten years.<sup>198</sup> Potato yields in northern Tasmania varied around three to four tons per acre, so the farmer might only clear £6 per acre for his potatoes, depending on how much timber was left standing on his 'cultivated' land. At that rate, he needed more than one acre of his land devoted to just paying his instalments.<sup>199</sup> By the end of the sixties, a Commissioner appointed by the House of Assembly to value Crown lands, Robert Crawford, estimated that the yeoman farmers could clear only two acres per year in the forest lands.<sup>200</sup> At the end of his first year, the farmer would pay his installment and have some seed potatoes left for next year. In order to feed a family as well, he would have to borrow, and begin his second

---

<sup>196</sup> *Cornwall Chronicle*, 29 October 1862, p 3. Archer's figures are supported by evidence presented by Burroughs, who reported that farmers at Penrith in NSW worked on wheat costing seven shillings a bushel to bring to market, exactly the figure given by Archer. Peter Burroughs, *Britain and Australia 1831-1855: A Study in Imperial Relations and Crown Lands Administration*, (Oxford, 1967), p 109.

<sup>197</sup> 'Statistics of Tasmania 1862', *JHA*, X Part 1, paper 2, (1863), p 66.

<sup>198</sup> Calculation based on the credit terms of the *Waste Lands Act 1858*.

<sup>199</sup> Calculated from 'Statistics of Tasmania 1869', *JHA*, XIX, paper 1, (1870), p 135.

<sup>200</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, (1869), pp 68-73.



year in debt. If he planted four acres in the second year, he could pay his land installment and have a surplus for seed and his own table. Any money left would either help feed his family or reduce the first year's debt, but not both. He would then start his third year in debt.

The costs provided by William Archer were challenged. Donald Cameron, an established settler of Evandale, outside Launceston, thought Archer was unduly optimistic. The small farmers were in a state of bankruptcy because many of them had mortgaged their crops before harvest in order to obtain cash advances.<sup>201</sup>

The problem lay in the difference between an established farm, such as William Archer had inherited, and a selection in the forest lands, where the only arable land was what the selector cleared. George Anderson, who had farmed at Circular Head in the north-west since the early fifties, thought a farmer leasing one of the Van Diemen's Land Company farms, which had been cleared by convict labour, might manage when potatoes fetched £3 per ton. These were the only small farms in his district which were making a profit. He predicted that in a few more years either the storekeeper who supplied the farmer or the mortgagee would own the forest farms.<sup>202</sup> Anderson's statements were challenged by another resident of the district, F W Ford, who argued that clearing in order to plant potatoes between the standing timber would only cost only £7 to £8 acre, and that the sale of the first crop would pay all expenses.<sup>203</sup> It might have done so during the gold rush years

---

<sup>201</sup> *Cornwall Chronicle*, 29 October 1862, p 3.

<sup>202</sup> George Anderson, 'Destitution on the N W Coast', *Launceston Examiner*, 25 September 1862, p 5; 25 November 1862, p 2.

<sup>203</sup> F W Ford, 'Destitution on the North-West Coast', *Launceston Examiner*, 16 October 1862, p 3.

when potatoes sold for £15 per ton, or under the guaranteed pricing by the Van Diemen's Land Company to its tenants, but the low prices of 1862 made this a hopeless dream for most.

The Surveyor-General, James Calder, argued that farmers should abandon unprofitable crops like wheat and potatoes. He claimed there were untapped markets on the mainland for high-profit items which farmers already produced in small quantities for their own use. These included dairy produce, eggs, ham, pork and hops.<sup>204</sup> For Calders' solution to work, technological solutions and investment were needed. Road, rail and shipping infrastructure was necessary to take produce to the larger markets. Marketing infrastructure was needed to bring together the products of the many small farms into quantities where economies of scale in distribution could be achieved, and technological solutions were needed to solve the difficulties of transporting fragile and perishable items. In a country where the governing class was investing only in purchasing more land, this was unlikely.

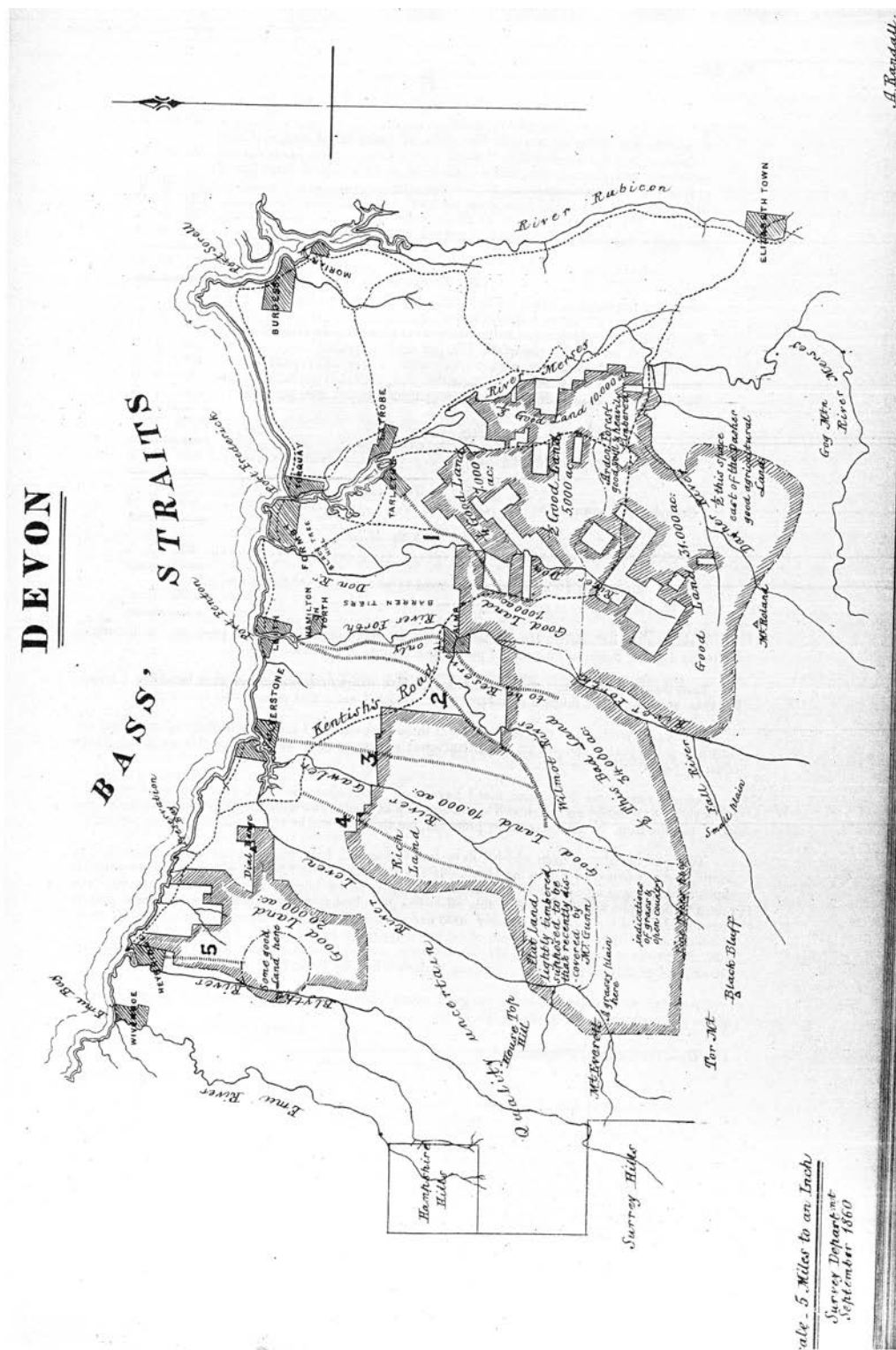
Low prices were not the only factor hindering land sales. The district surveyors identified a number of regional factors delaying land sales. In the north around the Don and Leven Rivers, there were some 290,000 acres suitable for settlement, half of which 'may be matched with anything else in the world for excellence'.<sup>205</sup> The chart used by the surveyor for this district, James Dooley, is shown in Map 3.2.

---

<sup>204</sup> *Mercury*, 3 December 1862, p 3; *Cornwall Chronicle*, 26 November 1862, p 4.

<sup>205</sup> 'Don and Leven', *JHA*, IV, paper 89, (1859), unpagged.

Map 3.2: Devon 1860



*Source:* 'Report on the Waste Lands between the Mersey and Leven Rivers', *JHA*, V, paper 84, (1860), pp 4-6.

This district surrounds the land occupied by James Fenton in the 1840s. The good land lay on low plateau between the rivers. Surveyor Ronald Campbell Gunn reported that further settlement was now delayed because there was no access beyond the coast. There were no bridges to cross the rivers. It was impossible to drive livestock to farms beyond the Leven River, and, as a result, large quantities of salt beef had to be imported into the district from Victoria. The local road trusts were unable to complete such works, partly because of their lack of funds, but also because of 'the unusually depressed circumstances of the inhabitants generally along the Coast'. Gunn recommended that the government upgrade the old 'Kentish Track', shown on the map, and bridge the rivers.<sup>206</sup> District surveyor, James Dooley, reported the regular presence of many good sized craft from Melbourne at the river mouths, but thought settlement would never proceed until roads were constructed from these into the hinterland.<sup>207</sup>

In the south, there were other problems. Tasman Peninsula contained 140,000 acres with plentiful timber, coal deposits, and easy access to water transport. Settlement was prevented by the presence of the Imperial establishment, that is, the Port Arthur penitentiary. A parliamentary committee thought the most desirable course was to send the remaining convicts to either Bermuda or Gibraltar and open the lands for sale.<sup>208</sup> South of the Huon River, towards Recherche Bay, there were pockets of rich soil in land otherwise 'poor and worthless'. The district surveyor, William Alcock Tully, thought the public was

---

<sup>206</sup> 'Roads between the Mersey and Leven', *JHA*, V, paper 7, unpagged.

<sup>207</sup> 'Report on the Waste Lands between the Mersey and Leven Rivers', *JHA*, V, paper 84, (1860), pp 4-6.

<sup>208</sup> 'Tasman's Peninsula: Report from the Joint Committee of both Houses of Parliament, *LCJ*, V, paper 48, (1860), pp 4-14.

not interested in purchasing land there because of ‘want of sympathy with the class which now forms the only population in these wilds’, that is, emancipists and timber getters. Since these were the only people likely to purchase this land, the surveyor thought the government should promote the terms of the land legislation to them.<sup>209</sup>

## Conclusion

The evidence from the debates shows that, in the age when the idea of improvement ruled government policy and factions ruled parliament, the land debates polarized opinion into two factions, the squatters and the improvers. The squatters maintained and defended their right to the land on which they ran their herds, resisted democratic tendencies in government and land ownership, and were suspicious of proposals to introduce small farmers into their neighbourhoods. The improvers had a vision that the land would be settled in small lots by industrious farmers, preferably British immigrants with capital, who would improve the land by cutting out the forests. In Tasmania, squatters and improvers sat in both houses of parliament. Both factions wanted land legislation that would not harm the existing land interests, and, as the recurring ministerial instability over the question of taxation shows, they were united in their opposition to any form of taxation on their interests.

---

<sup>209</sup> ‘Huon District. Mr Tully’s Report’, *JHA*, V, paper 100, (1860), p 4.

By 1862, exports, building, and manufacturing were all in decline.<sup>210</sup> Export values for wool enjoyed a rally in the trade cycle with rising prices in the British market in the early sixties, but, as the decade wore on, the pastoral industry too went into decline.<sup>211</sup> Land revenue declined and cash land sales fell. In 1862, only four pastoral and eighteen agricultural lots sold for cash at auction. One pastoral lot sold by private contract, and only nine lots were selected for cash.<sup>212</sup>

Not surprisingly in these difficult financial times, the Chapman Ministry, which had succeeded the Weston-Smith Ministry after the elections of 1861, fell at the end of 1862 over the proposal to introduce new taxes, the *ad valorem* duties. Parliament resumed in 1863 under the leadership of James Whyte, the pastoralist who had opposed credit land sales in the Legislative Council five years earlier.<sup>213</sup>

In the early days of the Whyte Ministry, it found that the land revenue for 1862 fell short of the estimates and accused the former treasurer, Frederick Maitland Innes, of financial incompetence. His response to Parliament revealed just how much trouble the land fund was in. Sales were down around £20,000. The auctions were frequented by cartels (he referred to 'a combination of neighbours') who had agreed to force the price down by not bidding for the land and waiting to purchase until the price was lowered following the failure to sell. The estimates had included an amount for £10,000 due on the sale of pre-emptive rights lands;

---

<sup>210</sup> Linge, *Industrial Awakening*, pp 118-35, 633-62; W A Townsley, 'Tasmania and the Great Economic Depression, 1858-1872', *THRA Papers and Proceedings*, 4, (1955), pp 35-46.

<sup>211</sup> B Meikle, 'Hard Times in the Golden Age: The Long Depression of Tasmania, 1857-75', *THRA Papers and Proceedings*, 15, (2010), pp 39-70.

<sup>212</sup> Calculated from 'Lands of Tasmania', *JHA*, XIII, paper 27, 1866, pp 73, 61, 70, 44.

<sup>213</sup> Robson, *A Short History of Tasmania*, p 31.

this had not been realized due to the depression, but the government had decided not to declare the land forfeited, intending that some relief would be available to purchasers. Revenue from leases had declined, partly because of liver fluke disease in the sheep flocks, and partly because his government had decided not to proceed with leasing the islands until it could alienate the land more advantageously. Finally, it had not enforced payment of the police rates due on landholders, preferring to wait for payment until their crops were gathered in.<sup>214</sup> This was the background to the next waste lands act.

---

<sup>214</sup> 'Legislative Council', *Examiner*, 7 March 1863, p 3.

## Chapter Four: Waste Lands, Stagnation 1864-1869

Confusion exists about the impact of the *Waste Lands Act 1863*. Coghlan reported that the ‘defective character of the returns relating to land transactions in Tasmania’ made it impossible to determine the effect of this Act on pastoral holdings’.<sup>1</sup> No doubt the lack of good data is part of the reason why Roberts, in discussing these years, mentioned only briefly the provisions which gave easier credit to settlers within ‘Agricultural Divisions’ and the later provision for associations of agriculturalists. He concluded that the Act failed, with the pastoral industry and agriculture stationary and the land revenue falling by fifty per cent. For this, he blamed the sale of land at auction and the insistence on preliminary survey which delayed the process. Roberts thought that the government sold land by auction in Tasmania during the 1860s in order to maintain revenue from land sales, but that this led to the wasteful alienation of the best remaining lands.<sup>2</sup>

Roberts also found that the government policy of cutting up for sale as much land as the Survey Department could manage led to the settlers exceeding their legitimate purchasing power. They then had no money to cope when fluke disease hit the flocks in the late sixties.<sup>3</sup> Roberts failed to point out that, when the act was

---

<sup>1</sup> T A Coghlan, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901, Vol II*, (Melbourne, 1969, first published 1918), p 1016.

<sup>2</sup> S H Roberts, *History of Australian Land Settlement 1788-1920*, 1968, (Melbourne, 1968, first published 1924), pp 300-1.

<sup>3</sup> Roberts, *History of Australian Land Settlement*, p 294.



passed, there were no Agricultural Divisions and no associations of agriculturalists, and when he wrote of 'settlers' exceeding their purchasing power he was taking this point of view from reports by Robert Crawford, a land commissioner appointed in the late 1860s to find ways to maximize the land revenue and to provide valuations for pastoral leases. Crawford referred to the established pastoralists, not the small farmers, as 'settlers'. He referred to the small farmers as 'the yeoman class'.<sup>4</sup>

This chapter seeks to clarify some of the issues identified by Coghlan and Roberts, and, since new legislation was passed every year in this period except 1866, it asks: what drove the many changes to the legislation? Why did land revenue and rural output fall in spite of the constant changes? Was government policy somehow responsible for these declines? Who benefitted from the Waste Lands Acts in these years? How did people live under the new acts?

To answer these questions, this chapter first examines the debates in 1863 over the draft Waste Lands Bill, and then discusses the provisions of the act in comparison with the draft proposals, and with the legislation of New South Wales and Victoria. The amendments which followed the legislation of 1863 contained, in some cases, quite significant reforms, and these are discussed, along with other related legislation, in the context of the debates and parliamentary enquiries that stimulated the changes. It then discusses the initial findings from an independent

---

<sup>4</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, 1869, pp 15, 66.

enquiry and analyses of the impact of the legislation on land sales and on the economy. It concludes with an examination of the lives of settlers in some of the new lands opened up under the Waste Lands Acts.

There were problems with the data. From 1858 to 1864, reports from the Survey Department to parliament separated pastoral and agricultural lands along the lines of the land classification in the legislation; after 1865 these categories were combined and reported as 'Country Lands'. After 1864, the detailed lists of land purchasers were not presented to parliament. Instead, there are several registers in the official archives of land selected in the various counties. Multiple versions of these exist, some of which are more complete than others.<sup>5</sup> The decline they show is consistent with the revenue statements. It may have been more convenient, and possibly less embarrassing to the Survey Department and the Ministry, to report the sales in less detail. The registers do not record any selections made under section 19 after 1864.<sup>6</sup> These selection provisions were replaced by the *Waste Lands Act No 5 1868*, and records related to these are available. There were other problems with the land sales figures from 1863 and 1867. The *Mercury* claimed figures for 1863 and 1864 were not correctly disclosed to Parliament.<sup>7</sup> Certainly the annual totals are not consistently reported in the statistics. These have been charted as reported in the statistics, but inconsistencies remain.

---

<sup>5</sup> Returns of Land Sales, LSD 363, TAHO.

<sup>6</sup> The sales reported to Parliament up to the end of 1866 were made up to the end of 1864 only, see 'Lands of Tasmania', *JHA*, XIII, paper 27, 1866; Registers of Land Selected in the Various Counties, LSD197 and LSD228, TAHO.

<sup>7</sup> *Mercury*, 9 July 1864, p 2.

## The Land Debates

The new ministry of James Whyte won power on promises of change and the repeal of unpopular taxation legislation, but its electoral platform had been short on policy. Three months into its first term, the *Mercury* complained that still the only policy to which the Whyte ministry was publicly committed was the repeal of the unpopular *ad valorem* duties.<sup>8</sup> With the loss of revenue from these duties, the Whyte government turned to land sales to make up the deficit in its revenue. Years later, the retired Surveyor-General, J E Calder, recalled during both the Gregson and the Whyte ministries 'an irresistible pressure that was laid on the Survey Department... to put the Lands of the Colony into the market *en masse*'.<sup>9</sup>

The new Waste Lands Act followed in August 1863.<sup>10</sup> The problem for government was how to increase land revenue when sales and leasehold rents were falling. Would lowering the price increase sales? The land auctions were still well attended, but there were very few buyers. Most people came only to see if their lands would be prejudiced by sales in their neighbourhood.<sup>11</sup>

Meanwhile, New South Wales and Victoria had finally passed their land legislation. This brought two competitors with much more extensive acreages to offer onto the Australian land market. The lot size for selection in New South Wales was 320 acres; in Victoria, each selector could have 640 acres every year.

---

<sup>8</sup> *Mercury*, 20 January, 1863, p 2.

<sup>9</sup> 'Waste Lands: Report of the Select Committee', *JHA*, XVIII, paper 126, 1869, p 15.

<sup>10</sup> 27 Vict no 22.

<sup>11</sup> *LE*, 20 August 1863, p 4.

Large areas were selected in both colonies, and the area under cultivation quickly increased. Personal residence was required, but this could not be enforced. Squatters and selectors practiced a range of evasions to the acts. These included 'dummying' (selecting in the names of others), 'peacocking' (selecting key lots so as to render the intervening land useless to others), and selection in the names of children. New South Wales did not attempt to check these until 1875. In Victoria, the *Duffy Act* (1862) had appropriated some of the squatters' runs for selection, but, unlike New South Wales, Victoria attempted to contain peacocking and dummying with the *Grant Acts* of 1865 and 1869.<sup>12</sup>

By the early 1860s in Tasmania, credit sales had become a problem. The previous chapter showed that the select committees of 1861 and 1862 had reported that purchasers under the 1851 Regulations would have difficulties meeting their obligations to complete their sales, as would small farmers under the *Waste Lands Act 1858*. Those committees had recommended credit relief. Witnesses to the select committee of 1863 generally supported credit relief for the landholders under the 1851 Regulations, at least for those who lived on their land and had improved it with building, fencing and clearing. The committees were reluctant to extend credit relief in cases where the lands were held in an unimproved condition.<sup>13</sup> There was no discussion on how this could be made to work in practice.

---

<sup>12</sup> Roberts, pp 236-41, 250-3.

<sup>13</sup> 'Report from the Select Committee Appointed to Consider the Waste Lands Bill', *JHA*, X part 2, paper 64, 1863, pp 6-11, 17.

A petition from George Whiting, an immigrant who had purchased in the Huon under the 1851 Regulations, asked for credit relief and a reduction in the price of lands purchased under these regulations.<sup>14</sup> He pointed out that, for ten years, purchasers had paid rent and interest charged for credit on their land. Together with police and road rates, these equalled the purchase price of the land. They had spent 'their capital, their labour and ten years of life in the unwearied but hopeless struggle' to fulfill their contractual obligations to the government while prices for rural produce declined. He thought that a reduction in the price of land was inevitable given the depression and the belief in Parliament that it was better to give the lands away than to see them remain unproductive. This would not help him and long before he had completed his purchase, adjoining lands would be sold at a quarter of the price he was paying. Furthermore, the quit-rents had been abolished; every other class of debtor in Tasmania had been granted relief. His case was supported by a petition from other pre-emptive rights landholders in the Huon.<sup>15</sup>

In the House of Assembly, some members thought credit relief was intended only for the small landholders. These included Treasurer Charles Meredith and John Davies, now the member for Devon, one of the new districts where small farming was developing. Attorney-General and Hobart resident, Robert Miller, thought the rich classes would be sure to take advantage of any relief, but Adye Douglas,

---

<sup>14</sup> Whiting had emigrated from Kent with his wife and four of his children to Van Diemen's Land in 1853. He paid for his land in England prior to departure, and chose 500 acres in the Huon Valley. Ritchie Woolley and Wayne Smith, *A History of the Huon and the Far South: Before the Orchards Grew Vol 1*, (Huonville, Tas., 2004), p120.

<sup>15</sup> 'Report of the Select Committee', *JHA*, paper 64, 1863, pp 18-9.

prosperous businessman and member for Launceston, thought credit extension should be available to all purchasers on the principle that no-one would pay interest charges for mere speculation.<sup>16</sup> Events had already shown that the view held by Douglas failed to take into account the boundless optimism of land speculators. Chapter Three showed that there had been plenty of buyers willing to purchase on credit the town lands of Mangana, in the hope that it might become another Ballarat; they were just as quick to abandon their contracts and their deposits once hopes for a gold rush faded.

The government had little choice but to grant some kind of relief. If they had declared the land forfeit, they would have been faced with the prospect of losing the existing purchasers along with the possibility for eventual repayment, and would have had to find new purchasers. With the population falling and the gold rushes to New Zealand (see Chapter Two), the arrival of new purchasers was unlikely. Banks and loan sharks were not rushing to offer loans to the distressed farmers because farmers had no security to offer. Under the Waste Lands Acts, land could not be transferred until the sale was completed. Besides, there were a number of parliamentarians who held land under the 1851 Regulations for which they had not paid. Currently serving members included W S Sharland, who had not paid for 500 acres and had another 500 acres tied up as quiet enjoyment land; William Archer had not paid for 300 acres and tied up 2,050 acres in quiet enjoyment; Charles Meredith, the Treasurer, had not paid for 100 acres and tied up another 400 acres; W E Nairn, president of the Legislative Council, had not

---

<sup>16</sup> *Mercury*, 31 August 1863, p 3.

paid for 500 acres. At the 1862 elections, W R Allison had lost the seat of Campbell Town, but since Tasmania's electoral act did not require members to live in the electorate they represented, he had taken the precaution of also nominating for Devon (which he lost to John Davies of the *Mercury*), and Hobart, where he won a seat.<sup>17</sup> So he was still a member when he argued in parliament for an extension of time for the credit purchasers. He had still not paid for 5,760 acres and had tied up over 39,000 acres under the quiet enjoyment regulations.<sup>18</sup>

The other major problem, price, was hotly debated. The committee of 1863 recommended that prices in the settled districts should not be lowered.<sup>19</sup> The Treasurer, Charles Meredith, believed land sales would dry up entirely unless prices were lowered. He supported his argument by citing reports from the district surveyors who had found there were 667,000 acres of land worth only five shillings per acre; this land would remain 'locked up' unless the prices were lowered. The move was opposed by John Davies and Alexander Clerke, the member for Meander in the north-west, who believed that only the large land proprietors would benefit.<sup>20</sup> William Race Allison thought the price should be kept up as security for the debentures.<sup>21</sup> The committee recommended that prices

---

<sup>17</sup> John Reynolds, 'Allison, William Race (1812–1865)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/allison-william-race-1698/text1835>, published in hardcopy 1966, accessed online 21 October 2013.

<sup>18</sup> 'Lands of Tasmania', *JHA*, XI, paper 18, 1864, pp 83-7.

<sup>19</sup> 'Report of the Select Committee', *JHA*, X part 2, paper 64, 1863, p 5.

<sup>20</sup> *LE*, 20 August 1863, p 4. For Clerke, see James Fenton, *Bush Life in Tasmania Fifty Years Ago*, (Launceston, Tas., nd), p 99; *LE*, 14 April 1877, p 3.

<sup>21</sup> *LE*, 20 August 1863, p 4.

not be reduced, but the *Waste Lands Act 1863* lowered prices for one class of pastoral land only. The results are discussed below.

Revenue from pastoral leasehold, which had provided a steady and certain return for the government over many years, had declined, and the evidence shows this was due in part to widespread squatting practices. The government made no provision for what was to happen to former pastoral leases cut up for sale which then failed to sell at auction. There was no process in place to allow for leasing them again. The *Mercury* pointed out that ‘immense quantities’ of pastoral leasehold had been put up for sale by the government but these remained unsold; there were 400,000 acres of leasehold available but no lessees to be found. In the meantime, the pastoralists continued to run their sheep on the land without paying any rent. Charitably, it blamed what it was pleased to call ‘the defective nature’ of the land regulations rather than any ‘want of principle’ on the part of the lessees.<sup>22</sup>

The committee sought some answers from the Surveyor-General, J E Calder, who confirmed the widespread existence of pastoral squatting on Crown land. Calder had previously thought that leasehold revenue declined because of liver fluke disease in the flocks. Now, however, large areas of pastoral land had been sold under the *Waste Lands Act 1858*, as had some of the pre-emptive rights lands, and these no longer brought in leasehold revenue.<sup>23</sup> The Crown sustained further losses because only the best portions of the runs were sold; the former lessees

---

<sup>22</sup> *Mercury*, 2 September 1863, p 2.

<sup>23</sup> *LE*, 7 March 1863, p 3.



claimed they ‘threw in’ their other leases. In reality, they continued to run their stock on their former leases. They thus avoided both payments to the Crown and to the rural rates. The Surveyor-General had hoped to have put a stop to this by publishing lists of Defaulters Lots.<sup>24</sup> This strategy does not appear to have been effective; it excited no comment in the press, and squatting on Crown lands continued, as later chapters will show.

Daniel Simpson, who had farmed at Prosser’s Plains in the eastern county of Pembroke for twenty years, explained another squatting technique to the select committee. Several neighbours in a district would each apply to purchase a block of land. The Survey Department would then survey this and put it up for auction. No-one would bid on the day; the land would remain unsold; and the neighbours all ran their stock on it thereafter. Simpson claimed to hold about 12,000 acres of land under this method, while paying the lease on less than a quarter of it. Furthermore, he knew many people who ran their stock in this way.<sup>25</sup> The daily newspapers showed no interest in the matter.

The squatters’ contribution to the debate was to argue, as they had always done, for better tenure on the leases. Daniel Simpson, Frederick Synnot (Bothwell), Henric Nicholas (Hamilton), and William Gibson (Perth and Fingal) all claimed that better tenure would give them the incentive to improve the land with draining and fencing. They thought that draining the marshes and cutting down the trees

---

<sup>24</sup> ‘Report from the Select Committee’, *JHA*, X part 2, paper 64, (1863), p 12.

<sup>25</sup> ‘Report from the Select Committee’, paper 64, (1863), pp 11-2.

were particularly important, since these would increase the carrying rate and reduce stock losses through liver fluke.<sup>26</sup>

Their arguments were not scientifically sound, whether they realized this or not. Modern control of *Fasciola hepatica* relies on integrated pest management techniques which include using chemical drenches, reducing the numbers of the intermediate snail hosts, and managing fluke prone areas.<sup>27</sup> It is true that sheep are more prone to heavy infection when they are forced to graze swampy areas. However, draining the swamps as a single strategy would not have been effective, especially while sheep were still being sent to the marshy Lake Country, and continued to graze on farmlands where irrigation systems flooded the pasture. Their other improvement, cutting out the trees, was even more problematic. By the 1890s, pastoralists and settlers had cut out so many trees that the Tasmanian Council of Agriculture advised farmers to plant and maintain trees as protection for livestock against the cold winds.<sup>28</sup>

It is from the opinions put forward by the pastoralists that Roberts constructed his argument related to this period in Tasmania. He stated ‘...the graziers were hampered by limits on pre-emption’, and he found the chief factors causing the

---

<sup>26</sup> 'Report from the Select Committee', paper 64, (1863), pp 6-12.

<sup>27</sup> Boray, Joseph, 'Liver Fluke Disease in Sheep and Cattle', New South Wales Department of Primary Industries, Primefacts 446, (2007), pp 2-10, [http://www.dpi.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0004/114691/liver-fluke-disease-in-sheep-and-cattle.pdf](http://www.dpi.nsw.gov.au/__data/assets/pdf_file/0004/114691/liver-fluke-disease-in-sheep-and-cattle.pdf), accessed 28 March 2014.

<sup>28</sup> 'Tree Planting', *The Agricultural Gazette and Journal of the Council of Agriculture*, 4, no 11, (May 1897), p 163.

fall in land revenue were ‘the insecure tenure and uncertain markets of the grazier’.<sup>29</sup> Although Roberts cited a report of the Surveyor-General, J E Calder, as one of his sources, the Surveyor-General disagreed with the pastoralists. He thought that better tenure may well result in more occupation of leases, but that past experience did not justify the belief that there was much desire on the part of Crown lessees to improve the public lands. Most improvements consisted of little more than some rough fencing, a hut with a garden growing tobacco, and a few vegetables.<sup>30</sup> It is not surprising that the parliamentary enquiries, conducted for the most part by pastoralists and associated business interests, showed increasing hostility to the Survey Department. This is supported by evidence given to the committee by the former Surveyor-General, Robert Power.<sup>31</sup>

Many of the pastoralists’ wishes were incorporated into the final recommendations. The committee recommended fixity of tenure of up to fourteen years (previously ten) for both lessees and pre-emptive rights land holders, with preference in renewal given to existing lessees. It proposed that rents should be payable half-yearly instead of annually, and that occupation by servants, fencing and improving should all be considered as ‘personal residence’ for the purposes of the 1851 Regulations. It also recommended that when leases were put up for sale and not sold within two months, these should then be open for selection by lease with preference given to the last lessee.<sup>32</sup> This strong support of the pastoral

---

<sup>29</sup> Roberts, *History of Australian Land Settlement*, pp 294, 295.

<sup>30</sup> ‘Report from the Select Committee’, *JHA*, X part 2, paper 64, (1863), pp 13-4.

<sup>31</sup> Power thought ‘there might be a jealousy against the Surveyors on the part of the Crown Lessees’. ‘Report from the Select Committee’, paper 64, (1863), p 11.

<sup>32</sup> ‘Report from the Select Committee’, paper 64, (1863), p 5.

interest possibly arose from the fact that committee had only called pastoralists to give evidence, apart from the Surveyor-General and a former surveyor-general. Furthermore, four of the eight committee members were pastoralists, and, as Chapter Three showed, even the most vocal of improvers, J D Balfe and John Davies, both of whom sat on the committee, did not want the existing land interests injured.

In cutting up certain pastoral leases for sale after 1857, the Survey Department had been acting on the instructions of the various Treasurers who had authorized the employment of contract surveyors for the purpose as discussed in Chapter Three. But the 1863 committee apparently felt it had some scores to settle, for it recommended that the power to classify lands and to sell them by private contract, formerly the responsibility of the Surveyor-General, should now be restricted to instructions given by the Governor-in-Council to the Surveyor-General.

As we saw in Chapter Three, the committees of 1861 and 1862 had reported hostility from the pastoralists towards the small farmers. Small farmers had little voice in public affairs. Many did not have the franchise, because they were purchasing on credit or the value of their land was too low for them to meet the property qualification. They lacked the funds to embark on expensive legal campaigns to redress wrongs. They could only petition their local member of parliament, a strategy that was unlikely to be successful where the local member was a pastoralist hostile to small farmers. The committee of 1863 received further

evidence of squatters' hostility to selectors in a letter to William Race Allison that drew attention to the problems small farmers faced when they purchased vacant land near the large sheep-runs. The large landholders had probably run their sheep on the land for years, but the small farmer, 'whatever his character', would be threatened by the large landholder, particularly if he talked of fencing his land. The problem had been of sufficient importance for the writer to have contacted the Attorney-General, Robert Byron Miller, on the matter.<sup>33</sup> Beyond recording the evidence, the committee made no comment, and no further evidence related to the matter has been found.

### **Waste Lands Act 1863**

The *Waste Lands Act 1863* was a triumph for the pastoralists. Following the debates in the House, the *Mercury* praised the act as being 'without an equal for liberality in the history of advanced modern land law legislation' and felt sure the members of the Legislative Council would find nothing objectionable in it.<sup>34</sup> They did not, and just two weeks later the *Waste Lands Act 1863* passed into law.<sup>35</sup>

In spite of the efforts by the improvers to prevent the lowering of land prices, one reduction was made. The price of lands that were not held, and had never been held under Grazing License, was lowered from ten to five shillings per acre.<sup>36</sup>

Such lands were likely to be inaccessible, either remote or adjoining pastoral

---

<sup>33</sup> Letter from A Finlay', Report from the Select Committee', *JHA*, X part 2, paper 64, (1863), p 16.

<sup>34</sup> *Mercury*, 7 September 1863, p 2.

<sup>35</sup> 27 Vict no 22.

<sup>36</sup> *Waste Lands Act 1863*, s 10.

lands in a way that cut off access to them, or lands on which pastoralists had already found they could run their stock without being required to pay the lease. This could only be of advantage to squatters and speculators. It would work best for the purchaser where buying groups colluded to ensure there was only one bid for any lot advertised, for if there were two applicants for the same lot, the land had to be put up for auction.<sup>37</sup>

The method for determining the upset price was changed, taking the decision out of the hands of the Surveyor-General and putting it into the political arena. The act of 1858 had provided for the Lands Commissioner (the Surveyor-General) to fix the upset price according to the best estimate he could form on the value of the land.<sup>38</sup> Under the new act, he had to submit his estimates to the Governor-in-Council, who could vary or approve these, and who now had the power to raise or lower the price on lands passed in at auction, provided they were not lower than the prices set by the act.<sup>39</sup> This gave members of the executive, and those who were able to influence them, the power to set the price on lands they wanted to purchase.

Credit provisions for new purchases were unchanged.<sup>40</sup> Large land holders (over 320 acres) gained a three year extension on their existing credit contracts on

---

<sup>37</sup> *Waste Lands Act 1863*, s 18.

<sup>38</sup> *Waste Lands Act 1858*, s 15.

<sup>39</sup> *Waste Lands Act 1863*, s 15.

<sup>40</sup> *Waste Lands Act 1863*, ss 26-7, 31.

payment of six per cent interest on overdue instalments.<sup>41</sup> The Parliament had clearly intended that the same credit relief should be available for small purchasers (under 320 acres), but the wording was unsatisfactory and the section giving credit relief to small landholders was re-written in the *Waste Lands Act No 2 1865*.

Those holding lands under the 1851 Regulations gained a number of concessions. With outstanding payment on all pre-emptive rights lands now due or overdue, the time for purchase was extended for six months and the credit provisions of the *Waste Lands Act 1863* made available to purchasers who were up to date with their payments. The select committee had wanted credit relief for improvers only, but while the new act offered relief on all purchases under the 1851 Regulations, it offered a bonus for those who had personally occupied a homestead on the pre-emptive right land. They were eligible for a three year extension of credit, although in signing the credit contract, the buyer forfeited the right to further occupy the associated quiet enjoyment lands under the old conditions. Instead, these were now deemed to be held under the provisions relating to Occupation Licenses, that is, as leasehold renewable annually. The question of personal residence was clarified, providing advantages for the wealthy while failing to provide conditions under which genuine settlement could take place. In Tasmania

---

<sup>41</sup> *Waste Lands Act 1863*, s 35.

no person would be deemed to have failed to meet the conditions on the pre-emptive rights lands if the land had been occupied by his servants only.<sup>42</sup>

Pre-emptive rights leaseholders were advised that if they intended purchasing their 1851 lands, they must do so by the end of March 1864.<sup>43</sup> Reduction of the 1851 holdings, permitted under the regulation of 1858, now became a popular move. Some landholders made substantial reductions in order to gain better title over a smaller part of their land. Joseph Skinner reduced his 440-acre lot to just fifty acres, over which he retained the pre-emptive right to purchase; similarly C B M Fenton reduced a 300-acre lot to 100 acres.<sup>44</sup>

There were changes to selection, but these advantaged the squatter, not the small farmer. The provisions of the *Waste Lands Act No 2 1859*, which allowed selectors to choose a second lot, were retained, with selectors only permitted to select again if they chose an adjoining lot and they remained within the 320 acre limit.<sup>45</sup> While Victoria was attempting to prevent selection by minors, Tasmania legalised selection for infants and made all such past selections valid, although only cash sales to minors were now allowed. Selections of less than forty acres were no longer permitted, except in the case of heavily timbered lands, where,

---

<sup>42</sup> *Waste Lands Act 1863*, ss 73-7.

<sup>43</sup> 'Survey Department: Notice January 1864', *HTG*, 9 February 1864, p 403.

<sup>44</sup> Memo to Colonial Treasurer and Auditor, 14 March 1864, Surveyor-General's Letterbooks 9 Feb 1864–12 Oct 1865, LSD16/1/19, pp 44-5, TAHO.

<sup>45</sup> *Waste Lands Act 1863*, s 19.



subject to the approval of Lands Commissioner, selections from ten to forty acres were allowed, provided these formed part of a total selection of 320 acres.<sup>46</sup>

The real gain made by the squatters was in the matter of selection. In the debates leading up to the *Waste Lands Act 1858*, the squatters had argued that the pastoral leases should be opened to selection (Chapter 3). They now achieved this but upon terms that in no way jeopardized their possession of the land; they were able to purchase part of their leasehold without competing at auction. Their lands were not thrown open to selectors, instead, in a repeat of the 1851 Regulations, pastoralists were allowed to select for purchase up to 320 acres, from their lease, with the approval of the Governor-in-Council.<sup>47</sup>

The requirement to survey before leasing was removed on some lands as was the requirement to advertise lands not held under a Depasturing License in the previous year.<sup>48</sup> Such lots were permitted to be from 500 acres to not more than 2,560 acres (just over four square miles), but there was no limit to the number of such land parcels a lessee could hold.<sup>49</sup> There is nothing in the parliamentary debates, the press, or the findings of the select committees to suggest why this decision was taken. In practical terms these provisions were of advantage to the pastoralists. They blurred the distinction between leaseholders and squatters, since without survey it would not be possible to determine if occupation was legitimate.

---

<sup>46</sup> *Waste Lands Act 1863*, ss 22-4.

<sup>47</sup> *Waste Lands Act 1863*, s 20.

<sup>48</sup> *Waste Lands Act 1863*, s 41.

<sup>49</sup> *Waste Lands Act 1863*, s 43.

Provisions on termination of leases were changed. When a payment became overdue, the Lands Commissioner had to notify the lessee or his agent within one month; however, the notice declaring the lease void could not be issued without the approval of the Governor-in-Council.<sup>50</sup> Under section 36 of the old act, the Land Commissioner had been empowered to issue such notice, when payment became twenty-one days overdue. This provision effectively transferred the responsibility for debt collection on leases from the Survey Department to the Executive, and while the pastoralists may have removed a threat to themselves, they had done so at the expense of government which was left without the means to ensure leases were paid.

There were some new leasing provisions. Another attempt was made to introduce leasing of islands. Terms were for up to fourteen years, and the lands were to be let by tender or public auction.<sup>51</sup> Any person who applied to do so was now able to lease, at a peppercorn rent, any land required for constructing a Railway or Tramway. Terms and conditions were to be set by the Governor-in-Council, whose approval was required.<sup>52</sup>

---

<sup>50</sup> *Waste Lands Act 1863*, s 44.

<sup>51</sup> *Waste Lands Act 1863*, s 46.

<sup>52</sup> *Waste Lands Act 1863*, s 42

Mining leases had previously been covered by *The Mineral Lands Act*.<sup>53</sup> This was repealed by the *Waste Lands Act 1863*, which now made provision for mining leases for terms not exceeding twenty-one years, on any waste lands. Eighty acres was allowed for metals, and 320 acres for coal, with water rights and easements allowed on payment of a royalty. Terms were not specified in the act. The Governor-in-Council was empowered to exclude any land from the operation of section 19 (selection) if lands were thought to hold minerals; similarly, leases in the unsettled lands could be terminated if found to be gold bearing.<sup>54</sup>

The policy of excluding land from selection on the basis that it might be auriferous had been introduced in 1859.<sup>55</sup> Chapter Three discussed the speculative mining leases taken up in the unsettled lands in 1859 and the subsequent private exploration of the region which failed to find minerals. Two years later, that district was withdrawn from selection.<sup>56</sup> The decision was not made in parliament and the executive council minutes do not make it clear why the government took this step, but it could simply be an economic imperative. We saw in Chapter Three how, when land at Mangana was thought to be auriferous, the Survey Department subdivided the area into unusually small lots and sold these at auction, where they achieved high prices. Most of the sale price did not find its way into the government coffers, since much of the land at Mangana was abandoned when the anticipated gold rush did not materialize. The policy did

---

<sup>53</sup> 26 Vict no 4.

<sup>54</sup> *Waste Lands Act 1863*, ss 52-4, 65

<sup>55</sup> 26 Vict no 26.

<sup>56</sup> 'Survey Office 14 May 1862', *HTG*, 17 June 1862, p 893.

have other consequences. In closing land off from selection, the government delayed settlement and exploration in the regions, and consequently delayed the discovery of the minerals that ultimately established the Tasmanian economy in the late nineteenth and twentieth centuries. This issue is explored further in Chapter Seven.

The policy of withdrawing lands from selection was to continue throughout the remainder of the nineteenth century, but the *Waste Lands Act 1863* gave the government another alternative. It still provided for leasing in the unsettled lands, but the new act gave the government power to resume these leases if gold were found.<sup>57</sup> There seems to have been some understanding of this problem in government because in November 1862, the Fingal Valley, previously withdrawn under these provisions, was re-opened to selection. The *Mercury* believed this new policy was designed to ‘stimulate private enterprise to a thorough test of the auriferous wealth of that part of the Islands’. Three selections were immediately taken up.<sup>58</sup>

Some attempts were made to stimulate agriculture. No Agricultural Divisions had yet been proclaimed, but the new act provided again for the declaration of agricultural areas, on lands ‘suitable for settlement by industrious Farmers’.<sup>59</sup> This time a rental-purchase scheme for small farmers was proposed, with lots available

---

<sup>57</sup> *Waste Lands Act 1863*, ss 60-72.

<sup>58</sup> *LE*, 18 September 1858, p 5; ‘Land in the Fingal District’, *Mercury*, 24 December 1862, p 4.

<sup>59</sup> ‘Agricultural Areas’, *JHA*, XII, paper 33, 1865, unpagged; *Waste Lands Act 1863*, s 9.

for rent at auction, the reserve price being one shilling per acre. After twenty years the landholder was entitled to a grant (that is, title deed) at no cost. Lots were to be 160 acres and to front onto a road to be made through the proclaimed area to a main or cross road, or the sea or a navigable river.<sup>60</sup> Nothing was done in this matter until the proclamation of Gould's Country as an agricultural area in 1867, and even then the first lots were not advertised until 1869.<sup>61</sup> This is the subject of Chapter Seven.

In recognition of the problems identified with roads for the new selections, the act provided for the construction of roads and bridges to new settlements, with one fourth of the revenue of the land fund to be allocated to a fund for the construction in the districts from which the fund was derived.<sup>62</sup>

The *Waste Lands Act No 2 1864* clarified the clause giving credit extensions to the small selectors on payment of six per cent interest, but squatters were not forgotten. Competition for lands held under a Depasturing License was removed, with these now offered to the previous tenant at the same rate of £1 per 100 acres.<sup>63</sup> By 1867, this provision had become controversial because it was thought to have contributed to the decline in revenue from leases. This is discussed below in the parliamentary enquiries.

---

<sup>60</sup> *Waste Lands Act 1863*, ss 56-9.

<sup>61</sup> 'The *Waste Lands Act 1863*: Agricultural Division', *HTG*, 2 April 1867, p 673; 'Agricultural Area: Gould's Country-George's Bay', *HTG*, 2 February 1869, pp 191-2.

<sup>62</sup> *Waste Lands Act 1863*, ss 86-7.

<sup>63</sup> 28 Vict no 3.

The 1860s marked the start of the railway era in Tasmania. It began with the formation of the Northern Railway League in 1863, with parliamentarians Sir Richard Dry and Henry Dowling, chairman and secretary respectively, of the League.<sup>64</sup> The *Waste Lands Act No 2 1864* attempted to encourage the construction of railways, tramways, and docks, by private enterprise, but without committing the government to actually do anything about railways. The act made provision for the Governor to alienate land for these, although this required the consent of both Houses of Parliament.<sup>65</sup>

The *Waste Lands Act No 3 1865* was directed to promoting agricultural settlement.<sup>66</sup> There were still no agricultural areas.<sup>67</sup> There had been discussion about a possible agricultural division in the Ringarooma district in the north-east, and in 1864 the Survey Department advertised that persons seeking land under these regulations could contact the district surveyor, John Hurst, who would, at no charge, point out suitable land.<sup>68</sup> While it is difficult to be sure how many selections were made in these circumstances, there is evidence to suggest that at least six and possibly eleven small farms were purchased in the district around Scotts New Country, the Ringarooma and Great Forester's Rivers. Two of these,

---

<sup>64</sup> Lloyd Robson, *A Short History of Tasmania*, edited by M Roe, 2nd ed, (Melbourne, 1997), pp 31-2.

<sup>65</sup> 28 Vict no 3.

<sup>66</sup> 29 Vict no 20.

<sup>67</sup> 'Agricultural Areas', *JHA*, XII, paper 33, 1865, unpagged.

<sup>68</sup> 'Ringarooma Country', *HTG*, 4 July 1865, p 1193.

one to a minor, were purchased for cash. The remaining lots were purchased on credit.<sup>69</sup>

About this time, a new scheme for land settlement was proposed. This was really the work of one man, Andrew Crawford, an officer in the British East India Company before his retirement in 1861. During his twenty-eight years' service with the company, he had visited his wife's relations at Richmond, in Van Diemen's Land, and liked it so much he purchased land there. He retired shortly after the political and administrative restructuring that occurred in India following the Mutiny of 1857, but found, on his return to England, that England too had changed. In 1864, he settled on the property at Richmond (Tasmania) with his family.<sup>70</sup>

His experiences led him to believe that his former fellow-officers, disenchanted with the loss of job security and the privileged lifestyle they had previously enjoyed in India, would benefit, as he had, by retiring to Tasmania. He thought that individuals on their own might struggle, but that they were more likely to be successful if they settled as a group. He offered to promote and co-ordinate a scheme to attract Anglo-Indian retired officers to settle in a designated area in Tasmania.<sup>71</sup>

---

<sup>69</sup> 'Survey Department', *HTG*, 1 November 1864, pp 1953-7. This return shows sales by police district only, not parish, with no survey lot numbers, and no information related to the section of the act under which the purchases were made.

<sup>70</sup> Geoffrey Stilwell, 'The Castra Scheme', in *Tasmanian Insights: Essays in Honour of Geoffrey Thomas Stilwell*, edited by Gillian Winter, (Hobart, Tas., 1992), pp 13-4.

<sup>71</sup> Stilwell, 'The Castra Scheme', pp 14-7.

The *Waste Lands Act No 3 1865* was the first step towards the implementation of Crawford's scheme. It provided two strategies to promote agricultural settlement. One strategy was to provide an access road or tramway to areas for individual settlers purchasing under the rental purchase scheme. The other strategy was to promote settlement by associations of settlers. The members of associations were to have exclusive right to lands proclaimed as an Agricultural Division. Such land was to be excluded from the operation of selection under section 19. The upper limit on these block sizes was 320 acres.<sup>72</sup>

As a first step, Crawford chose a block of 32,000 acres in the vicinity of what became the township of Castra, between the Leven and the Forth Rivers in northern Tasmania. He proposed that settlers pay £2 per acre, for lots of 320 acres. The government was to survey the lots and provide sixteen miles of tramway to connect the district to the nearest port at Ulverstone. Crawford began promoting the scheme in India, where it met with a mixed reception, but it was not until 1867 that the Tasmanian parliament passed the legislation needed for the scheme to progress.<sup>73</sup>

---

<sup>72</sup> *Waste Lands Act No 3 1865*, ss 1, 9-11.

<sup>73</sup> *Land for Settlement Reservation*, 31 Vict no 27; Stilwell, 'The Castra Scheme', pp 14-7.



## Implementation

The Whyte ministry may have begun its term short on policy, but after the passing of the *Waste Lands Act 1863* it swung into action with a proposal to begin a program of reproductive works, constructing roads, bridges and tramways to open up new agricultural areas and to improve access in areas where settlers had located. District surveyors were asked to nominate areas suitable for development as agricultural areas and to specify what works were needed to provide access from these to suitable shipping places or established roads. Their reports provide a detailed inventory of land accessible at that time. They suggested that attempts should be made to revitalize the once great agricultural district of Sorell in the south-east (formerly a wheat growing area), as well as providing roads into the areas where small settlement was already taking place, the Huon district, Devon in the north-west, and Dorset in the north-east.<sup>74</sup>

The problems in the County of Dorset were typical of those faced on the frontiers occupied by the selectors. Dorset lay to the east of Launceston, in country that was forested, hilly, and watered by the Tamar, Piper, and Great Forester Rivers. In 1864, the government geologist, Charles Gould, described it as a high tier comprising Mounts Direction, Dismal, Tippagory and George running parallel with the Tamar. Perpendicular to this ran an extension of the Arthur Range known as Hall's Tier, Blue Tier, and Sidling Hill; beyond this and shut off from the coastal lands was Scott's New Country, where some 150 people had settled after the passing of the *Waste Lands Act 1858*. The district was reputed to hold about

---

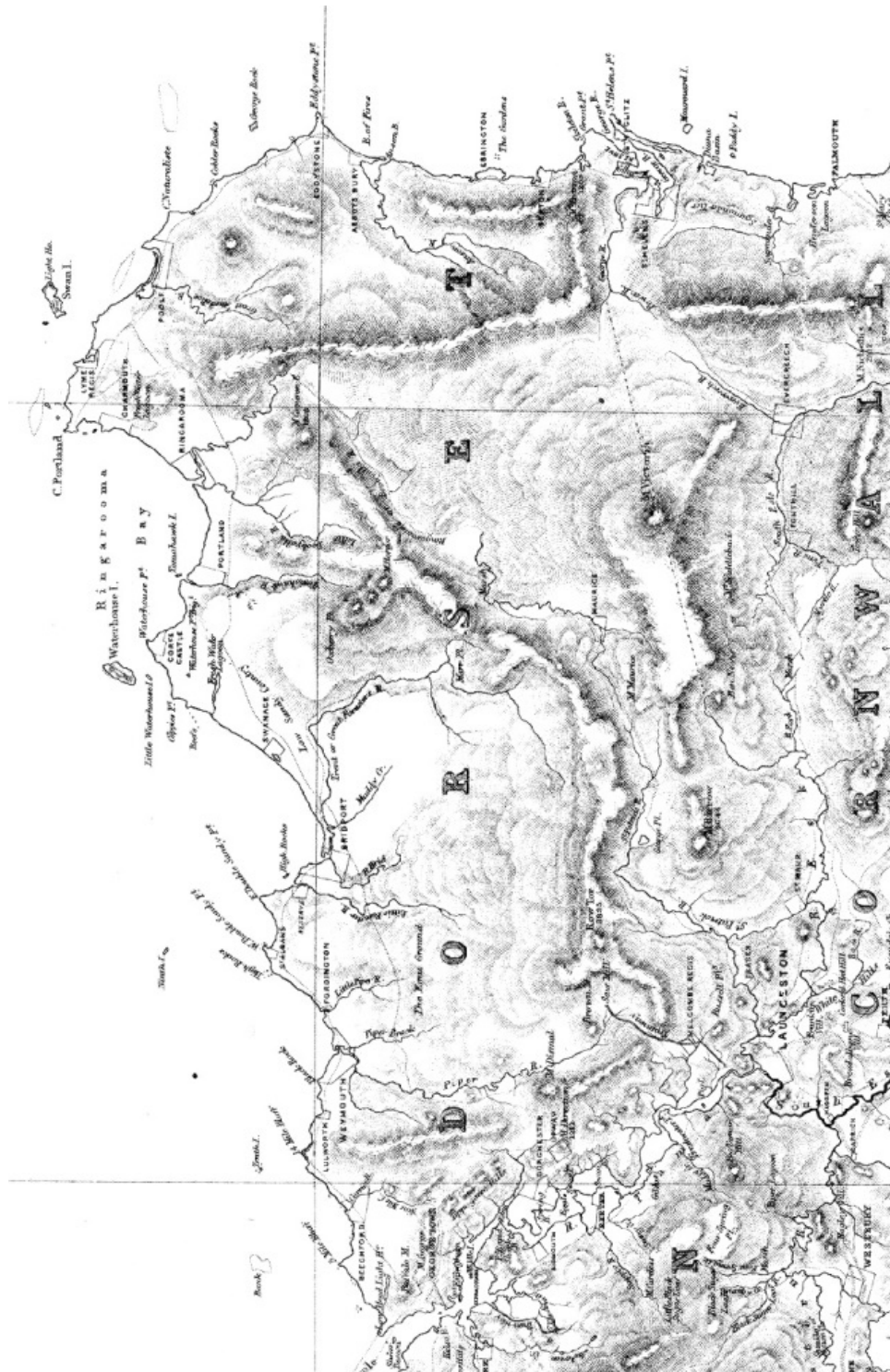
<sup>74</sup> 'Crown Lands: Reports', *JHA*, XI, paper 19, (1864), pp 4-34.

seven thousand acres of first class agricultural land with topsoil in some places as deep as twenty feet. Charles Gould reported that in just five years enough land had been cleared to produce a grain crop of around five thousand bushels. But the road surveyed to the nearest port (Bridport) had never been opened and settlers carted their crops on a longer route to a privately owned station on the Forester River. There were three existing lines of road, and, by building a good bush road, the unsettled land in the nearby Ringarooma district could be opened up for selection.<sup>75</sup> See Map 4.1.

---

<sup>75</sup> Charles Gould, 'Report of the Geological Surveyor: County Dorset', *JHA*, XI, paper 46, (1864), pp 4-8.

Map 4.1: County of Dorset 1859



Source: 'Tasmania by James Sprent', Reproduced with the permission of the Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania.

Gould thought, correctly, the country would contain coal and minerals, and noted evidence of gold prospecting. He was more concerned, however, with what he saw as waste resulting from the lack of facilities for the settlers to export their produce. The difficulty and cost of transporting grain meant settlers found it more profitable to sow grass than grain, and there was a real risk that first class agricultural land would be converted to pastoral land. He felt this would be a substantial loss to the colony. Without good roads, there was no market for the settlers' timber, and, since they had to clear the land before any farming could take place, settlers were ring barking the trees and leaving them to die. This was resulting in the destruction of 'one of the finest beds of timber in the country'.<sup>76</sup>

In July 1864, the House of Assembly appointed a select committee to report on its proposed scheme for reproductive works. Members included Charles Meredith, the Treasurer, and the improvers, J D Balfe, and John Davies, who had proposed the committee. Using information from district surveyors, farmers and selectors, and from the roads committee of 1861-2, they put forward a twelve-point plan that was similar to the works plan of 1861-2.<sup>77</sup>

For the south, the committee recommended building the direct Huon Road from Hobart to Leslie, the Sand Fly and North West Bay Road (now Margate), and tram roads at Southport and Port Esperance. In the north, it wanted bridges over the Leven and Forth Rivers, a road south of Ulverstone into the agricultural

---

<sup>76</sup> Gould, 'Report of the Geological Surveyor: County Dorset', p 7.

<sup>77</sup> 'Reproductive Works: Report of the Select Committee', *JHA*, XI, paper 77, (1864), pp 4-21.

country, and a West Tamar road to Port Sorell, the country of Devon where most new settlement was taking place. For the north-east, it recommended a road from Launceston to Ringarooma, with connecting roads to Bridport and Scott's New Country.<sup>78</sup>

The government agenda was frustrated by the Tasmanian geography, by government and administrative inefficiencies, and by the determination of conservative forces in and out government to prevent the state resources being allocated to any interests other than their own. Furthermore, there were practical hindrances to opening the agricultural areas. Winter rains meant that road building, particularly the preliminary operations, could only be carried on in the forested districts during the drier months, so any work not commenced in the summer months would be delayed for a year. There were administrative problems, the legacies of poor legislative decisions of the past. The 1851 Regulations had omitted to contain a clause relating to conditions under which the government could resume parts of the pre-emptive rights lands. In the developing district of Devon, land in Gunn's Plains was under consideration as an agricultural area, but finding a suitable line for a road to open the unsettled lands there was a problem because of the large areas held by speculators under the 1851 Regulations. A particular problem in this case was the land known as the 'Allisons Reserve', the quiet enjoyment lands held by W R Allison. Another problem arose where agricultural lands were identified in the old districts, such as Sorell, where making

---

<sup>78</sup> 'Reproductive Works', (1864), p 3.

roads was the responsibility of a Municipality, and the Government was not able to undertake work independently of the local authorities.<sup>79</sup>

It was perhaps unfortunate that the works committee of 1864 should have taken as its guiding principle that of the 1862 committee, which stated that in any district where it was proposed to establish roads, the interests of the already settled and populated portions of the country should receive the first consideration, over the interests of opening unsold Crown lands or enhancing the value of these.<sup>80</sup> This left room to debate the definition of what constituted the ‘already settled and populated portions of the country’, and the whole scheme was jeopardized because of this.

The works were approved in the House of Assembly on 2 September 1864, and went to the first reading in the Legislative Council on 8 September, accompanied by a proposal to borrow the £56,000 required.<sup>81</sup> On the day before the debate was held in the upper house, a public meeting to discuss the proposals was held in Launceston, chaired by the Mayor and attended by the local surveyors and several local parliamentarians. There was some support for the proposals, with Isaac Sherwin, the member for Selby, saying that, although he wanted roads for his district, this was not at the expense of those whose needs were greater. However, a group of northern members had clearly planned to destroy the works proposals.

---

<sup>79</sup> ‘Crown Lands: Reports’, *JHA*, XI, paper 19, (1864), pp 4, 34.

<sup>80</sup> ‘Reproductive Works’, (1864), p 5.

<sup>81</sup> *Mercury*, 8 September 1864, p 3; 21 September 1864, p 3.

The former MLC, J W Gleadow, led the attack, which was particularly directed against the proposals for roads in the neighbouring county of Dorset. Gleadow argued that government money should be spent for the benefit of all, and that it was not right that money raised by debentures should be spent making better roads in Scott's New Country (now called Scottsdale) than they had in the older, settled districts. He argued that money spent in Dorset would be wasted; if those roads were built, they would be covered in scrub again before the debt was paid because of the limited traffic they would have. If tramways were built in the Huon, he said, it would only encourage people to take land on credit and cut out the timber. They would wear out the tramways, then abandon the land, and leave the government to repair the tramway. He reiterated: 'It would not do to do for these parties what had never been done for persons in settled districts'. Gleadow had a petition to oppose the works program already drafted, and, after he had succeeded in driving the chairman and the surveyors from the meeting by accusing them of calling the meeting under orders from Hobart, he handed around the petition to collect signatures against the proposal.<sup>82</sup> This was presented in the Legislative Council and the works program was defeated the next evening in the Council.

Gleadow's attack on to the works program, and particularly to the proposal for roads in the Ringarooma district, was vitriolic and seems scarcely logical today. It is tempting to imagine that, because Gleadow was a lawyer in practice in Launceston, he had no vested interest in the pastoral industry. In fact, he had held

---

<sup>82</sup> *Mercury*, 14 September 1864, p 3.

a 2,000 acre grant in Break 'O Day, on the east coast, from the 1820s, for which he employed a manager, and had served on the committee for 'adjusting quitrents on free land grants', that is, the committee that extinguished the debt to government owed by the holders of land grants.<sup>83</sup> His sympathies lay with the squatting faction, and he may simply have been determined that government funds would be spent for his interests. He may, like many other squatters, have been suspicious of the small farmers and not wanted an agricultural division in his neighbourhood.

Some contemporaries saw this as an example of regional rivalry. It was alleged in the *Mercury*, by MHA Darcy Murray that the northern opposition to the works program arose because they wanted all the government funding for their Launceston and Western railway scheme. However, the secretary for the Northern Railway League denied this, and stated that Gleadow was not connected with the railway scheme.<sup>84</sup> There is no evidence to confirm or deny the suspicion. What is certain is that this was about competition for scarce resources, the government funding, and, having always relied on government funds to maintain their privileges, the Tasmanian gentry were not about to let these go.

---

<sup>83</sup> Although there are a number of files related to the Gleadow family in the state archives (TAHO), no reference to this action has been found. G H Crawford, 'Gleadow, John Ward (1801–1881)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/gleadow-john-ward-2100/text2649>, published in hardcopy 1966, accessed online 10 April 2010.

<sup>84</sup> *Mercury*, 20 September 1864, p 3; 24 September 1864, p 2.



The works program did not even have uniform support in the House. It was opposed by retired surveyor and pastoralist, W S William Sharland, and T J Knight, the member for George Town. Knight argued that the money should be divided equally around the country. He wanted the surplus £20,000 distributed immediately among the existing road trusts, a move which would have taken funding from the new districts without established road trusts back to the old, settled districts. Members of parliament were redirecting the government funds back to the districts where they had investments and property. The Treasurer, Charles Meredith, reaffirmed the need for roads to encourage immigrants and establish an industrious agricultural population, and announced that the scheme would go ahead so far as the land fund allowed.<sup>85</sup>

### **Results of the *Waste Lands Act 1863***

The *Waste Lands Act 1863* triggered a rush to purchase pastoral lands at the reduced price; land had not been that cheap since the Ripon Regulations of the 1830s. Sales of agricultural land showed a slight increase. (See Table 4.1). In 1864, the pastoral acreage sold was more than twice that sold in 1859, but the lower price meant this did not double the returns to government. The revenue was only increased by £4,000.

---

<sup>85</sup> *Mercury*, 21 September 1864, p 3.

Table 4.1: Land Sales 1858-64

Year	Pastoral lands		Agricultural lands	
	Acres sold	Selling price £	Acres sold	Selling price £
1858	19,801	23,502	19,665	25,326
1859	37,434	32,521	34,047	37,874
1860	49,828	53,018	34,220	49,533
1861	61,878	53,626	39,576	57,147
1862	14,220	15,567	22,922	27,439
1863	53,390	29,787	18,080	22,055
1864	81,199	36,344	23,940	26,309

Source: 'Lands of Tasmania', *JHA*, XIII, paper no 27, 1866, p 79.

<sup>a</sup>Quantities do not include parts of an acre.

Sales of pastoral lands at five shillings accounted for forty-six per cent of the all land sales during the two years from the end of 1863. The pastoral counties of Pembroke and Glamorgan outsold all other counties combined.<sup>86</sup> In 1869, evidence given to a parliamentary select committee stated that thousands of acres sold under this provision had really been worth £1 per acre.<sup>87</sup> Roberts was correct in his claim that the government practice of selling land at auction at this time, in order to maintain the revenue, resulted in the wasteful alienation of the best remaining lands.<sup>88</sup>

<sup>86</sup> Calculated from 'Crown Lands Sold', *JHA*, XII, paper 83, (1865), unpagged.

<sup>87</sup> 'Waste Lands: Report of the Select Committee', *JHA*, XVIII, paper 126, (1869), p 10.

<sup>88</sup> Roberts, *History of Australian Land Settlement*, pp 300-1.

Selection slowed following the *Waste Lands Act 1863*. In 1862, sales of pastoral land at auction were equal with sales by selection; in 1865 they were almost double. Sales of pastoral land by private contract, the class of lands always slow to sell, were now equal to sales under selection. Buyers of all classes still overwhelmingly preferred credit.<sup>89</sup>

The total acreage selected under the Waste Lands Acts rose from some 66,000 acres in 1862 to just over 100,000 acres. Thirty-nine selectors had defaulted by the end of 1864, but sixty had paid for their land before time. Of the seventy-six selectors who had paid cash, only six had blocks greater than one hundred acres.<sup>90</sup>

In September 1865, William Race Allison died. The conservative *Launceston Examiner* reported that Allison had been appointed as a ‘rustic youth’ to the Legislative Council of Sir Eardley Wilmot in mistake for his father, Francis. The obituary, while acknowledging that his friends may feel differently, observed ‘If this be so, it can hardly be surprising that, with such a beginning his subsequent public career should have been one long continuous blunder’.<sup>91</sup> The *Mercury* acknowledged Allison’s part in framing the recent *Waste Lands Act 1863* and his attempt to have a survey for a main line of railway approved in parliament, but reported that, ‘he was neither a man of profound education, nor did he possess talents of a very brilliant order’, yet ‘he knew everyone in the colony’. The

---

<sup>89</sup> Calculated from ‘Lands of Tasmania’, *JHA*, XIII, paper 27, (1866), pp 3-94.

<sup>90</sup> Calculated from ‘Lands of Tasmania’, *JHA*, XIII, paper 27, (1866), pp 44-58.

<sup>91</sup> *LE*, 28 September 1865, p 4, 30 September, p 4.

*Mercury* advised Hobart residents to look for a new member who would ‘go heart and soul into the railway question’.<sup>92</sup> The estates, under the management of the third son, Nathaniel, were lost to the family.<sup>93</sup> The 1851 lands were sold at auction, and there were neighbours waiting to purchase them.<sup>94</sup>

## **The Waste Lands Act 1866**

In 1866, the Tasmanian land debates changed. There were challenges from outside. New South Wales and Victoria had rival land schemes and competed directly with Tasmania for small farmers, and now New Zealand was advertising its land schemes in the Tasmanian newspapers in an attempt to attract settlers.<sup>95</sup> There was now some hostility within Tasmania towards the squatting interests. The *Mercury*, which in 1864 had supported the fourteen-year tenure for pastoral leases, was now calling the squatters ‘Croesus wool kings’, and a correspondent referred to the ‘descendants of Croesus’ whose ‘bad management of a few scabby sheep’ had resulted in the decline of the wool export market.<sup>96</sup>

Urban improvers began to emerge. At a public meeting in Hobart, Dr William Lodewyk Crowther, MHA for Hobart, claimed in parliament that there was a land conspiracy. Dr Crowther was one of a small number of Hobart merchants who

---

<sup>92</sup> *Mercury*, 10 October 1865, p 2.

<sup>93</sup> Reynolds, John, ‘Allison, William Race (1812–1865)’, *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/allison-william-race-1698/text1835>, published in hardcopy 1966, accessed online 21 October 2013.

<sup>94</sup> Letter to F Synnott, 7 October 1865, Surveyor-General’s General Letterbooks, LSD16/1/19, p 616, TAHO.

<sup>95</sup> ‘Otago Pastoral Leases’, *Mercury*, 26 February 1866, p 3.

<sup>96</sup> *Mercury*, 31 July 1866, p 2; ‘Income from Waste Lands’, *Mercury*, 18 August 1866, p 2.

were not dependent on the wool industry. Although a medical practitioner, he had large landholdings in southern Tasmania, in the Huon Valley and then Kettering, from which he ran a sawmilling and timber export business. He owned a fleet of whaling ships and leased Lady Elliot Island, Bird Island, and Wreck Reef in the Coral Sea from which he ran an export business in guano.<sup>97</sup> He claimed all the talk about agricultural areas was really designed to draw attention away from the pastoral districts which held two million acres of readily accessible agricultural land. These lands, he said, were put up for auction, withdrawn without bidding, then shortly after purchased by the large landholders at the reduced price of five shillings per acre. He blamed the pastoralists for the large numbers of itinerant rural labourers who tramped the country from job to job, arguing that the large land owners should be able to keep their labourers in profitable employment all year round.<sup>98</sup>

The improvers now had the numbers to push for a new lands bill. The parliament had very short sessions in 1865 and 1866, sitting only from July to September.<sup>99</sup> In spite of this difficulty, the lands committee found time to draft the Waste Lands Act Amendment Bill 1866. It was a substantial bill, with twenty-six clauses and was discussed in the House in August 1866. If the act of 1863 had been the squatters' act, this was the improvers' legislation, with changes proposed to both selection and immigration.

---

<sup>97</sup> W E L H Crowther, 'Crowther, William Lodewyk (1817–1885)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/crowther-william-lodewyk-3297/text5013>, published in hardcopy 1969, accessed online 20 January 2014.

<sup>98</sup> *Mercury*, 31 July 1866, p 2.

<sup>99</sup> 'Parliaments', *JHA*, XXXVIII, (1880), unpagged.

Under the proposed changes, selectors who were purchasing on credit could choose to lease their lands at one shilling per acre, with the option to purchase any time in ten years. It proposed a comprehensive immigration scheme, offering fifty acres free, on conditions of personal residence on the land, to an immigrant male over 18 years of age who paid his own fare. Non-resident immigrants were to pay rental. The Survey Department was to draw up plans for agricultural areas, in an echo of William Archer's planned settlement (see Chapter 3), where each lot would have a road frontage, and reserves to be set aside for churches and a school. Immigration agents were to be appointed to Europe to recruit settlers.<sup>100</sup>

There were two bold new proposals. If the land fund, minus the expenses of the Survey Department, was not sufficient for one fourth of sales revenue to be allocated for roads, this amount was to be transferred from general revenue for the purpose. This would have been a departure from previous practice, the land fund having previously been used to top up the general revenue whenever it ran short. There was also to be provision made to fine squatters for illegally depasturing stock on Crown lands; £5 for the first offence; £10 for the second; £50 for subsequent offences.<sup>101</sup>

---

<sup>100</sup> 'Waste Lands Act Amendment Bill', *Mercury*, 30 August 1866, p 4.

<sup>101</sup> 'Waste Lands Act Amendment Bill', *Mercury*, 30 August 1866, p 4.

The improvers' suggestions were not always well thought out, and not always within the realm of possibility. Dr Crowther, for example, proposed to deal with the deficit in government revenue with retrenchment. He even questioned the expense of a meagre £477 on the aborigines' establishment and of £2,165 to run the Land Titles Office. He also wanted to cut the costs of police and gaols, the Lunatic Asylum, Orphan School, and General Hospital, and he advocated asking Britain for another £25,000 annually towards the cost of these.<sup>102</sup> Reading these proposals almost a century and a half later, one gains a real sense of the frustration that business interests and members in the House must have felt at both the continual rejection by the Legislative Council of their efforts to revitalize Tasmanian economy and of their own inability bring about, or even agree on, any changes. Here was a man with a business empire that extended up the Queensland coast and into the Pacific Region, arguing about a trivial expense of £477, and proposing to manage his country's budget by reducing services to its poorest inhabitants. He was to have his chance to put his ideas into practice during his ten months as premier from December 1878 to October 1879.

Before any progress was made with the land legislation of 1866, Tasmanian politics intervened. In 1865, the Whyte ministry proposed to reform taxation by freeing the ports and replacing customs duties with income tax. A year later, when the uproar had died down and the counting was over, the new premier was Sir Richard Dry, the man who thought selection should only be permitted in remote parts of the country. T D Chapman returned as Treasurer, with W L Dobson the

---

<sup>102</sup> 'Public Meeting of Citizens', *Mercury*, 18 July 1866, p 3;

new Attorney-General. The Dry ministry had promised government retrenchment as the solution to Tasmania's financial ills, but there really was no viable alternative to funding the government other than by taxing wealth. With customs and land revenue falling, the Dry ministry fell back on the standard procedure and issued more debentures.<sup>103</sup>

In 1866, the railways and roads were not built; agricultural areas were not established, and nothing it seemed could prevent the decline in land sales. Revenue from pastoral leasehold had declined from its high point of £29,152 in 1854, to £9,000 in 1866. Pastoral land sales in 1865 were worth £24,192. This halved in 1866, and halved again in 1867. Revenue from agricultural land sales followed a different pattern, peaking in 1861 at £57,147 but halving the following year. It then declined slowly, falling below £20,000 in 1867.<sup>104</sup>

What had happened to the roads? In 1868, the total amount available for expenditure on the roads was £18,437, to which the land fund had contributed £6,692. The road boards which received the largest amounts, that is over £400 each, were Bothwell, Hamilton, South Longford, Mersey West, and Selby, all, with the exception of Mersey West, old pastoral/mixed farming districts. Boards which received over £300 each were Westbury, Spring Bay, Oatlands and Fingal, all old pastoral districts. The Huon district, which had been repeatedly denied roads and tramways by the Legislative Council, received a total £254, comprising

---

<sup>103</sup> Robson, *A Short History*, pp 32-4.

<sup>104</sup> 'Waste Lands: Report from the Select Committee', *JHA*, XVI, paper 89, (1868), p 22.



£113 for Franklin, £63 for Oyster Cove, and £78 for Port Cygnet. Even Campbell Town, a small town in the heart of the sheep country and well served with a main road, received £225, almost as much as the whole Huon district.<sup>105</sup> It seems the parliamentarians, true to their principles, were ensuring the road money was spent in the settled districts, their homelands.

The improvers in parliament were not finished. Their proposed legislation of 1866 may have been lost in the political turmoil, but many of the provisions were re-worked and appeared in later legislation. In September 1867, the lands committee reported again to the House. It found that revenue from pastoral leases could probably be increased, and that land currently used as pastoral leasehold was suited to agriculture. It still wanted to protect existing land interests, but on the condition that lessees paid a fair rent. The committee called for an investigation of Crown lands in the settled districts and the Gordon River Valley (in the unsettled lands). It wanted the investigation to identify all existing leases and the quality of land, determine which lands presently used for pastoral purposes were more suited to agriculture, and to make recommendations on roads. With regard to the proposed agricultural areas, the committee wanted these restricted to Gould's New Country and the Castra district, where Andrew Crawford had chosen his land. Lots at the Goulds Country were to be 100 acres, and lots on the Castra settlement to be a maximum of 320 acres.<sup>106</sup>

---

<sup>105</sup> 'Statistics of Tasmania: Boards of Works', *JHA*, XVII, (1869), unpagel.

<sup>106</sup> 'Waste Lands Act Amendment Bill: Report from the Select Committee', *JHA*, XV, paper 65, (1867), pp 4-6.

The first of the 1866 proposals to be implemented concerned the agricultural area at Gould's New Country, a stretch of land approached from George's Bay on the east coast and running into the higher country approaching the Ringarooma district. The area was proclaimed prematurely in 1867, but the district was then without roads and the proclamation was withdrawn almost immediately.<sup>107</sup> The first lots there were eventually advertised in 1869.<sup>108</sup>

Next were the proposed immigration schemes. The *Immigration Act 1867* provided for land orders or certificates for immigrants who paid their own fare from Britain or Europe.<sup>109</sup> Andrew Crawford's Castra scheme was officially launched with another act which provided for the reservation of up to 50,000 acres of land at Castra for settlement by Europeans from India. The government was to make roads and bridges in the area when 5,000 acres of such land had been sold.<sup>110</sup>

Before any agricultural division had been proclaimed under the act of 1863, the *Waste Lands Act No 4 1867* was passed.<sup>111</sup> This contained many of the reforms proposed in 1866. It specified that the access roads to agricultural divisions were constructed before any lots were put up for sale. It further endeavoured to promote agricultural settlement by reducing the rental on agricultural lots. Selectors who were up to date with their payments were permitted to make a further selection,

---

<sup>107</sup> 'The Waste Lands Act, 1863: Agricultural Division', *HTG*, 2 April 1867, p 673; John Thomas, 'Report on Gould's New Country', *JHA*, XV, paper 39, (1867), pp 4-7; 'The Waste Lands Act, 1863: Agricultural Area', *HTG*, 7 May 1867, p 888.

<sup>108</sup> 'Agricultural Area: Gould's Country-George's Bay', *HTG*, 2 February, 1869, pp 191-2.

<sup>109</sup> 31 Vict no 26.

<sup>110</sup> 31 Vict no 27.

<sup>111</sup> 31 Vict no 35.

and, for the first time in Tasmania, the selection provisions now required residence by a family member. The act only changed the residence requirement for selectors; the pre-emptive rights landholders under the 1851 regulations were not similarly restricted.

The *Waste Lands Act No 4 1867* provided credit relief for the small farmer purchasing less than 100 acres under the previous acts and residing on his land. Any installment now overdue could be postponed for up to three years, but the interest rate chargeable on this was raised to eight per cent per annum, with payment due within sixty days of the due date of the installment.

Additional provisions were made for the sale of land in agricultural areas.<sup>112</sup> Block size in such areas was now reduced from 160 to 100 acres, and a road had to be marked out through each area to a cross road or place of shipping before the sale of any lots in the area. Lots in agricultural areas could also be leased by tender for twenty years, with the rent payable on a sliding scale from six pence per acre in the first three years, one shilling per acre for the following two years, and two shillings per acre for the rest of the term. Lessees could purchase their land at any time for £1 per acre. Both buyers and lessees were limited to one such block on which the title grant had not been issued, that is, on which the sale had not been completed. On leased agricultural lots, residence by a family member (specified in the act as son or daughter, step-son or step-daughter, wife or widow)

---

<sup>112</sup> *Waste Lands Act No 4 1867*, ss 1-7.

was required for the duration of the lease. The penalty for failure to occupy a lot was absolute forfeiture. Selectors were permitted more land, so that selectors who had made half their payments were permitted to make another selection under the same terms.<sup>113</sup>

Provisions related to the road fund defined in section 86 of the act of 1863 were now qualified. One fourth of the land revenue to be set aside for the Road fund was now to be calculated as one fourth after the cost of the Survey Department had been deducted, and it did not have to be spent on roads and bridges only, but could be applied to any ‘works of public benefit and utility’.<sup>114</sup> This was a weakening of the proposals of 1866, and again was leaving a loophole that could be used to prevent the construction of roads in the new areas.

Provision for compensation to leaseholders was removed, in the event of the resumption of leases for railways, tramways, bridges, and the construction of drains approved by the Crown.<sup>115</sup> The sale of lands at the 1863 price of five shillings per acre was prevented with the provision that set the lowest upset price at not less than ten shillings per acre, and any land unsold would be offered at auction again.<sup>116</sup>

---

<sup>113</sup> *Waste Lands Act No 4 1867*, ss 1-8.

<sup>114</sup> *Waste Lands Act No 4 1867*, ss 19-20.

<sup>115</sup> *Waste Lands Act No 4 1867*, ss 22-4.

<sup>116</sup> *Waste Lands Act No 4 1867*, s 21.

The *Waste Lands Act No 5 1868* changed the selection provisions again. This was a significant amendment for selection, and became the standard for selection legislation in Tasmania for the next forty years. From the date of this act, every person had the right to purchase one agricultural lot, up to 100 acres, but the former residence requirement was weakened. The selection was to be occupied by 'the Selector, his tenant or servant' until the full amount of the purchase was paid. It provided discount for early payment on credit sales, but increased the interest charge from one fifth to one third the purchase price. Money for roads was increased to one half of all money raised from land sales.<sup>117</sup>

## Parliamentary Enquiries

In 1868, a select committee of the House of Assembly, unable to reach agreement on a scheme for increasing land revenue and disposing of the agricultural lands, recommended the appointment of a Commissioner to inspect and value pastoral and agricultural lands.<sup>118</sup> Well-known pastoralist, Robert Crawford, was appointed. Crawford does not appear as a landowner in any of the assessment rolls, but he managed the *Ellenthorpe* pastoral estate after the death of its owner, George Carr Clark. His first marriage connected him to one of the largest pastoral families, the Headlams, and his second to the daughter of Justice Thomas Horne.<sup>119</sup>

---

<sup>117</sup> 32 Vict no 18.

<sup>118</sup> 'Waste Lands: Report from the Select Committee', *JHA*, XVI, paper 89, (1868), pp 6-25.

<sup>119</sup> Register of Marriages, Campbell Town, RGD37 Reg no 56/1857, TAHO; *Mercury*, 6 April 1872, p1.

Crawford produced a series of reports in 1869-70.<sup>120</sup> Before these were published, Crawford himself gave evidence to another parliamentary committee.<sup>121</sup> The reports found a range of abuses of the Waste Lands Acts and evidence of extensive squatting on Crown lands.

Crawford found that leasehold revenue had declined from several causes. Lands previously rented had been sold. Almost 150,000 acres of the 1851 lands in the pastoral districts had been abandoned once stripped of their timber and no longer brought in returns to the government. Squatters had not paid their rent, preferring to allow leases to lapse while they continued to run their stock on the land. The Survey Department did not re-let such lands, in case the former lessee decided to renew. Furthermore, squatters had abandoned leases for a year for the purpose of resuming them a year later at the lower rental charged for previously unoccupied land.<sup>122</sup> On the other hand, some lots in the pastoral districts were rented at a higher figure than their value 'partly from the surrounding proprietors' fear of small holders coming in'.<sup>123</sup>

There was evidence that squatters were 'peacocking' land. They had purchased 'only such blocks ...as would prevent any outsider from gaining an entry into the larger area' and sometimes they had judiciously purchased two or three lots

---

<sup>120</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, 1869; Robert Crawford, 'Waste Lands of the Colony', *JHA*, XX, paper 61, (1870), pp 5-33.

<sup>121</sup> 'Waste Lands: Report of the Select Committee', *JHA*, XVIII, paper 126, (1869), pp 8-14.

<sup>122</sup> 'Waste Lands: Report from the Select Committee', *JHA*, XVI, paper 89, (1868), pp 5, 7, 19, 21.

<sup>123</sup> Crawford, 'Waste Lands of the Colony', paper 33, (1869), p 15.

surrounding a large area and fenced in the whole lot. The selection provisions of the *Waste Lands Act 1863* and of the 1851 Regulations had allowed squatters to purchase comparatively small lots 'which destroyed the value of thousands of acres or more, for occupation by another, or for future sale'.<sup>124</sup>

Crawford found that life was hard for the selectors. Roads had not been built. In the Fingal District, on the East Coast, people who had purchased lands could not gain access to them for lack of roads.<sup>125</sup> The problem was widespread; Crawford could not find in any District evidence of the 'legitimate expenditure of the funds placed at the disposal of the several Boards of Works'.<sup>126</sup> The cost of clearing the forest lands was high. In the one proclaimed Agricultural District on the east coast, a long established farmer, Robert Wardlaw, showed that clearing had cost him £35 per acre.<sup>127</sup> Wardlaw, a Scottish immigrant who arrived in 1842, had worked for John Amos on the east coast, until he was able to purchase the land at Chain of Lagoons, Falmouth. At his death, the *Mercury* described the property as 'one of the most compact and prolific farms on the east coast' and thought it demonstrated what could be achieved by 'a willing and determined mind'.<sup>128</sup> But more than a determined mind was needed to tame a forest farm, when all a selector had was one hundred acres purchased on credit, and only an axe and a hoe to bring his land into production.

---

<sup>124</sup> Crawford, 'Waste Lands of the Colony', paper 33, (1869), pp 65, 71.

<sup>125</sup> 'Waste Lands: Report of the Select Committee', *JHA*, XVIII, paper 126, (1869), p 8.

<sup>126</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, (1869), p 66.

<sup>127</sup> Crawford, 'Waste Lands of the Colony', paper 33, p 8.

<sup>128</sup> 'Swansea: Death of an Old Colonist', *Mercury*, 6 September 1873, p 3.

Instalments still had to be paid, whether the land could be farmed or not, and the penalty for default was absolute forfeiture, loss of the land and of all money paid. In 1862, Richard Chick, a landholder from southern Tasmania, did not think selectors would forfeit their land because 'having built their huts and cleared some of it, and having established themselves and families upon it, [they] would rather submit to great privation than relinquish their homes'.<sup>129</sup>

Even so, selectors did forfeit, but, with nowhere else to go, some simply stayed on. John Bell selected 200 acres at Mountain River (Huon) under the *Waste Lands Act 1858*. He had paid £120 of the debt of £240 when he forfeited at the time of his wife's death, but he remained on the land. In 1864, he was served with notice to vacate; his selection was to be auctioned in a month's time. It was passed in at auction, which gave him time to petition parliament.<sup>130</sup> It is not quite clear what happened next to John Bell. There is no record of Bell occupying this land in the later valuation rolls but, by 1871, there is a John Bell at Franklin, owner and occupier of a house on thirty acres with an orchard, and a John Bell leasing a seven acre orchard at Franklin.<sup>131</sup> Some dissatisfied selectors left for Victoria: Captain Langdon claimed to know of at least forty-five people, many of whom he had introduced as immigrants into Tasmania, who intended to leave.<sup>132</sup>

---

<sup>129</sup> Evidence of R Chick, 'Report and Evidence to the Select Committee from 1861', *JHA*, VIII, paper 111, (1862), p 8.

<sup>130</sup> Letter to John Bell, 4 May 1864, Surveyor-General's General Letterbooks, 9 February 1864-12 October 1865, LSD16/1/19, TAHO; 'Petition from Mr John Bell', *JHA*, XI, paper 76, (1864), unpagged.

<sup>131</sup> Valuation Roll, Franklin, *HTG*, 4 April 1871, pp 499-500.

<sup>132</sup> Evidence of Captain Langdon, 'Waste Land Act Select Committee Progress Report', *JHA*, VII, paper 161, (1861), p 6.



At the end of the decade, Balfe, the Member for Franklin, pointed out to the Parliament, 'Victoria is our rival. She can offer better land than we can, and under better terms...'. In these circumstances, he said, there was no practical use in expecting settlers to pay £1 per acre; the terms should be as liberal as those of Victoria and the price sufficient to cover the cost of making ordinary bush roads.<sup>133</sup>

## Results 1869

Sales of country lands declined suddenly after 1865 and, since almost everybody purchased on credit, the government had only received a fraction of the price of the lands. In 1865, 70,000 acres of country lands were sold; in 1869, fewer than 20,000 acres sold. Although Coghlan found the Tasmanian land returns 'defective', these figures are supported by the existing evidence of the records of land sales, which show a marked decline in sales.<sup>134</sup> From 1866 to 1869, fewer than ten per cent of the pastoral lots offered at auction sold. In 1869, a sale of forfeited lands was held, with forty-seven lots offered. The two pastoral lots sold; there were no bids for the agricultural lots.<sup>135</sup> See Figure 4.1.

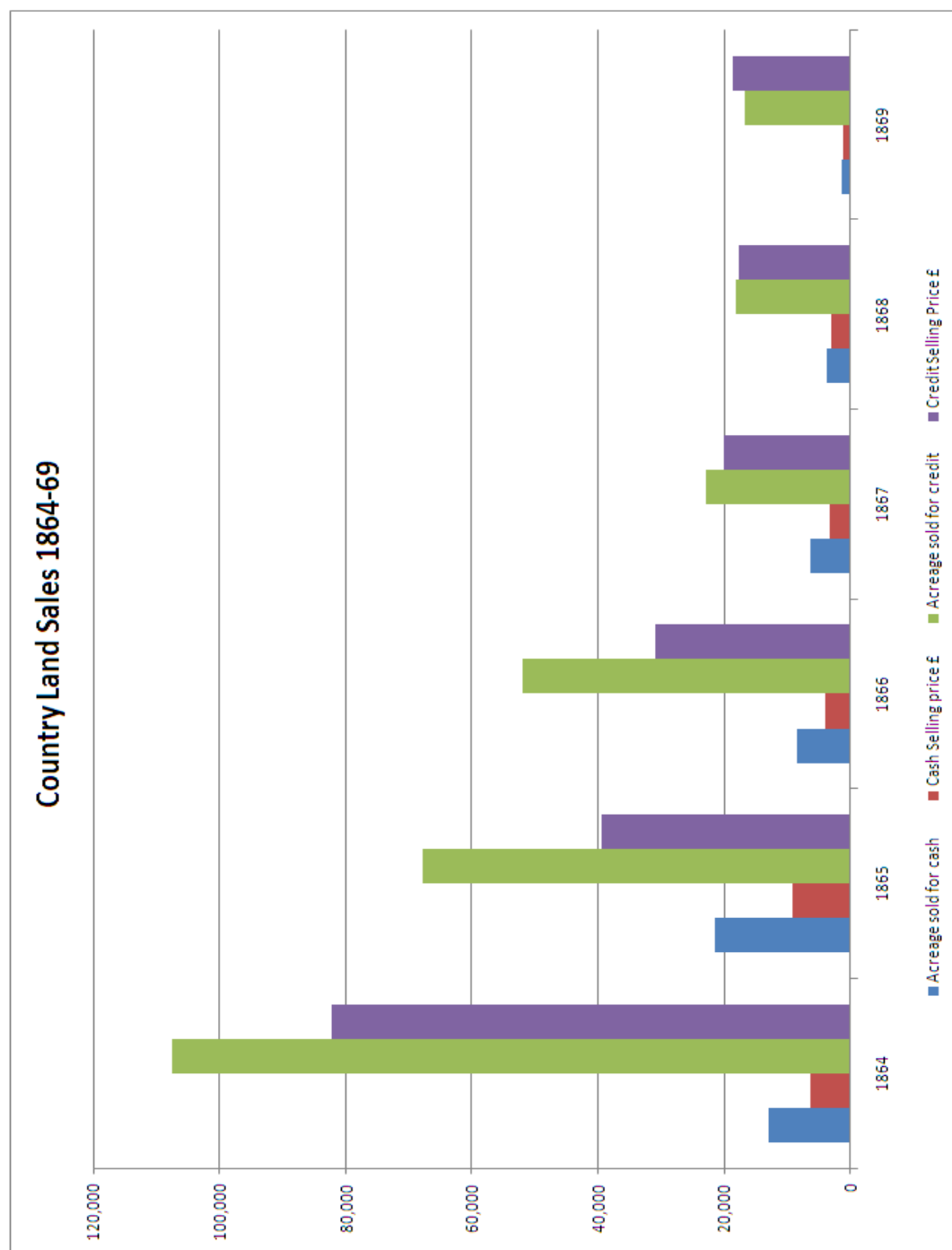
---

<sup>133</sup> 'Waste Lands: Report from the Select Committee', *JHA*, XVI, paper 89, (1868), p 23.

<sup>134</sup> Coghlan, *Labour and Industry in Australia, Vol II*, pp 1016-7.

<sup>135</sup> Returns of Land Sales, 1866-9, LSD363/1/1–LSD363/1/4, TAHO.

Figure 4.1: Sales of Country Lands 1864-9



Source: 'Crown Lands: Returns', *JHA*, paper 53, (1870), pp 4-8.

Across the whole of the first decade of operation of the Waste Lands Acts, the annual land revenue (sales and leases) fell from £74,765 in 1859, the first full year of operations of the acts, to £53,207 in 1869. The area under leasehold fell from 1,751,051 acres in 1859 to 1,441,413 acres in 1869.<sup>136</sup>

How did this impact on rural production? In spite of the continued sales of pastoral land, wool exports fell. See Table 4.2.

Table 4.2: Wool Exports, 1858, 1862, 1869

Wool Exports	1858	1862	1869
Weight (lbs)	5,701,884	5,241,650	5,607,083
Value £	393,646	366,350	303,209

Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), pp 10-12.

The quantity exported had fallen across the decade, but was rather better in 1869 than in 1862. It is evident from the table that wool prices had fallen. This is confirmed by Barnard, and by a note to the statistics for 1869.<sup>137</sup>

Why did pastoralists invest so much money in land purchases when they were seeing no return for it? It is not possible to determine how much of the country sales were purchased by pastoralists, but if even half these sold in this period went

<sup>136</sup> 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 10.

<sup>137</sup> A Barnard, *The Australian Wool Market 1840-1900*, (Melbourne, 1958), pp 229-30; 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), p xiii.

to the gentry, then they had purchased around half a million acres under the Waste Lands Acts from 1858 to 1869.<sup>138</sup> Admittedly, most purchases were on credit, so they had only outlaid the deposit and one or two instalments, but they had committed to pay instalments for the next decade, with no certainty of return. The parliamentary enquiries showed that large landowners would go to great lengths to keep small farmers out, but spending between quarter and half a million pounds in the middle of a depression, with no return on the investment, seems extreme. It is necessary to look for some other explanation.

Chapter One showed that the Tasmanian gentry had developed their pastoral holdings on the model of the English country estate. The gentry were mostly from the British middle classes, retired officers from rural districts, like George Meredith, or from impoverished aristocratic families, like William Lyne, and they had no expectation of inheriting such an estate in England. Morgan argued that they strove to create an antipodean England in Van Diemen's Land, by using English place names, cultivating the habits and interests of the landed gentry, and, eventually, building their grand houses.<sup>139</sup>

Wiener argued that in Britain in the second half of the nineteenth century, the new elite, comprised of businessmen, professional and bureaucratic classes, adopted

---

<sup>138</sup> This calculation was based on the assumption that half the country lands sold were purchased by the pastoralists. The figure is almost certainly higher, since the previous chapter showed that pastoralists also purchased much of the agricultural land sold.

<sup>139</sup> Sharon Morgan, *Land Settlement in Early Tasmania: Creating an Antipodean England*, (Cambridge, 1992), pp 43-9.

many aristocratic values, and key amongst these was the acquisition of land, not for development, but for enjoyment.<sup>140</sup> We can see this pattern emerging in Tasmania, although here it was the pastoral pioneers who absorbed the values of the aristocracy. Once the gentry had gained control of the new parliament, they produced legislation that enabled them to continue to expand their estates, and they did so, regardless of the consequences.

The economic consequences of this were disastrous. Wiener argued that in Britain, the new generation of the middle class

...took up instead the new idea of gentlemen, and through these mechanisms of social absorption, the zeal for work, inventiveness, material production, and money making gave way within the capitalist class to the more aristocratic pursuit of leisure, and political service.<sup>141</sup>

This appears to have been what happened in Tasmania, and no family demonstrates this better than that of George Meredith. Chapter One showed that George Meredith, married to his children's nursery maid and bullying everyone in his pursuit of more land, was typical of the pioneers Morgan described as 'ambitious and avaricious'.<sup>142</sup> His son Charles, unsuccessful at managing the estates, married to his English cousin, author Louisa Ann Tawmley, pursued not business, but politics, where he used his influence to promote the expansion of the pastoral estates. This chapter showed previously that, as treasurer from 1863 to 1866, Charles Meredith was one of driving forces behind the government decision

---

<sup>140</sup> Martin J Wiener, *English culture and the Decline of the Industrial Spirit, 1850-1980*, (Harmondsworth, Middlesex, 1985), p 13.

<sup>141</sup> Wiener, *English Culture*, p 13.

<sup>142</sup> Morgan, *Land Settlement in Tasmania*, pp 25-42, 163.

to sell pastoral land at the reduced price of five shillings per acre. In Tasmania, zeal, inventiveness and money making had given way to the more aristocratic pursuits of the life of the landed gentry.

In Tasmania, agriculture again produced mixed results. See Table 4.3.

Table 4.3: Agricultural Output 1858/9, 1868

Product	1858/9 bushels	1868 bushels
Wheat	930,298	878, 826
Oats	632,461	477,985
Barley	102,631	125,614
Apples	89,327	169,478
Pears	32,285	25,670
Potatoes	41,493 tons	27,374 tons

Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), pp10-11.

In 1869, farm crops showed a decrease of eight and a half per cent on the previous year.<sup>143</sup> The increases in barley and apple production observed after the *Waste Lands Act 1858* were maintained across the decade. The decline in the wheat industry was discussed in Chapter Two, but at the end of the 1860s, the wheat crops had rust.<sup>144</sup> Most wheat was still reaped by hand, with only five per cent machine harvested.<sup>145</sup>

<sup>143</sup> 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), p xxii.

<sup>144</sup> 'Statistics of Tasmania 1867', *JHA*, XVI, paper 1, (1868), p xxii.

<sup>145</sup> Calculated from 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), p 133.

A more detailed picture of agriculture is possible. The number of small farmers increased. Although selection of lots less than forty acres was not allowed under the *Waste Lands Act 1863*, sales of larger lots had declined while sales of fifty acre blocks increased.<sup>146</sup> In 1867, the largest agricultural districts, identified as those with the largest acreage in crop, were the established areas of Westbury, Selby (Launceston), and Longford, followed by the new areas of Deloraine and Port Sorell, all in northern Tasmania. The districts where most new land was broken up in the year were the new districts of Port Sorell, and Horton, part of Wellington in the north-west.<sup>147</sup>

As we saw in Chapter Two, one of the new crops to emerge during the depression was hops. The numbers were not reported until 1871, but in 1869 there was a large increase in the area planted. Plantations were extending beyond the New Norfolk district and there were many new plantations not yet in full bearing.<sup>148</sup>

Potatoes, traditionally a crop used to break new ground, declined after the passing of the *Waste Lands Acts*. By 1869, the major potato growing districts were Horton and Port Sorell in the north, and Franklin around the Huon River. Horton and Port Sorell were the districts in which most new land was broken up two years earlier. The only transport out of these areas was by sea, with some inadequate roads, and when growers were forced to rely on limited regional markets they found them

---

<sup>146</sup> 'Statistics of Tasmania 1867', *JHA*, XVI, paper 1, (1868), p xx.

<sup>147</sup> 'Statistics of Tasmania 1867', *JHA*, XVI, paper 1, (1868), p 123.

<sup>148</sup> 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), p xxii.

oversupplied with the local produce. In 1867, potatoes in Horton and Port Sorell fetched £1 10s to £2 per ton. Those prices did not even cover the cost of production, if William Archer's figures discussed in Chapter Three were correct.<sup>149</sup> In Franklin, with access by sea to the Hobart markets, potatoes fetched £3 per ton, as they did in Hobart. Away from the potato growing districts, in the wealthier old pastoral districts of Bothwell, Hamilton, and Richmond, potatoes were worth anything from £4 to £5 per ton.<sup>150</sup> This made the cost of transport a critical factor for farmers, but, as we saw in Chapter Two, many farmers were unable to move away from the traditional model in which new land was planted with the unprofitable crops of potatoes and wheat. In these circumstances, it was inevitable that demand for land selection and small farms would fall.

Livestock production is shown in Table 4. 4

Table 4.4: Livestock Numbers 1858/9, 1868

Livestock	1858/9	1868
Horses	21,563	22,272
Cattle	79,460	105,450
Sheep	1,504,393	1,569,809
Pigs	30,673	55,222

Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 11.

Numbers of sheep and horses were stationary, but numbers of cattle and pigs had increased. Horses had previously been a profitable export, but the numbers had declined steadily. After an attempt was made in this statistical period to determine

<sup>149</sup> Archer had said that production costs for potatoes, excluding land instalments, were from £2 to £2 10s per ton. *Cornwall Chronicle*, 29 October 1862, p 3.

<sup>150</sup> 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), pp 134-6.



the numbers of livestock running on Crown lands, it was decided that this impossible.<sup>151</sup> This confirms the argument that squatting was rife.

### **How did the small farmers live?**

In spite of the difficulties, settlement was spreading across northern Tasmania, but how selectors and small farmers fared depended very much on where they selected. One of the new regions to expand in this period was the settlement at the River Don in northern Tasmania. Previously, most of that district was held on lease under the 1851 Regulations, but, as we saw in Chapter One, Raymond, Cummings and Company had operated a sawmill there since 1854. In 1869, a lease of 422 acres, previously held by John Helder Wedge, expired, and the Survey Department cut up the land for sale.<sup>152</sup>

Around this time, the Survey Department was also surveying the Goulds Country agricultural area. Previously in this chapter, it was shown that William Archer, MHA, wanted planned settlements, containing township and agricultural lots with lots reserved for a church and school. Both the Don River and the Goulds Country surveys suggest an attempt to lay out a planned community. The chart for the Don River settlement is shown at Map 4.2.

---

<sup>151</sup> 'Statistics of Tasmania 1869', *JHA*, XIX, (1870), p xxiv.

<sup>152</sup> This was one of the leases James Fenton complained of because its owner had held it without improving or using it. James Fenton, *Bush Life in Tasmania Fifty Years Ago*, (Launceston, nd.), p 105.

Map 4.2: Don River Land Sale 1869



Source: Extract from Map – Don Township on Don River and Property of John Helder Wedge, 1 January 1868 – 31 December 1869, LSD264/1/6, TAHO.

It is worth noting here that there were some similarities between the surveys for Goulds Country and Don River. In both, there were a number of township blocks clustered together with roads marked out, and the agricultural lots were surveyed with narrow frontages onto a road or river. Agricultural selections in Victoria could be as large as 640 acres but those surveyed for sale in Tasmania were smaller. Those along the Don River did not exceed 120 acres. At Goulds Country, the lots were smaller still, around 80 acres. In neither of these locations were there any provisions for essential services, that is, there were no reserves for grazing commons, for water supply, for waste disposal or cemeteries. The settlement at Goulds Country will be discussed in detail in Chapter Seven.

The sale of Wedge's lease provided an opportunity for the sawmillers, Raymond, Cummings and Company, to extend their land holdings. The Company had survived the worst years of the depression, by mining coal, discovered in 1862 on the east bank of the Don River, and by the establishing a limestone works in 1869 on the site of extensive deposits upriver.<sup>153</sup> The map shows that, following the auction, the firm, now Cummings and Company, purchased lots 31, 33 and 34.

This marked the beginning of Tasmania's third company town, Don River. As the Company's land was cleared, it offered this to tenant farmers. Some of the early mill workers, many of them immigrants recruited under the schemes of the 1850s, left the mill to work these farms. Tenants had the first three years rent-free, and paid eight shillings per acre from the fourth year. They could work part-time for

---

<sup>153</sup> Fenton, *Bush Life*, p 109.

the Company while establishing their farms, and the Company provided credit between harvests. Independent selectors who purchased in this district were also able to sell their timber to the Company.<sup>154</sup>

The company struggled with financial and family changes at the end of the sixties, and was placed in the hands of receivers in 1872. This resulted in a restructure, in which the administrator, storekeeper John Henry of Melbourne, bought into partnership with Edwin Cummings. The company added to its existing businesses, opening a cooperage, a fine furniture factory to use the timber being cut down by the local selectors, and several grocery stores. By 1874, it was able to offer employees a nine hour day, and to purchase produce from the local farmers at guaranteed prices.<sup>155</sup>

The close association between the saw milling company and the selectors made the Don River settlement unique in Tasmania in that it was the one district where the timber cut from the selections was used to create a viable industry. In most of Tasmania, settlement was accompanied by the wanton destruction of the forests, without regard for the value the timber might ever have. Selectors, farmers and pastoralists ring barked the trees and left them to die. In the north-west, most of the coastal lands with access to water transport had been tied up under the 1851 Regulations, and selectors were forced into the hinterland where they had no

---

<sup>154</sup> Faye Gardam, *Sawdust, Sails and Sweat, a History of the River Don Settlement, North-West Coast, Tasmania*, (Port Sorell, Tas., 1996), p 35.

<sup>155</sup> Gardam, *Sawdust, Sails and Sweat*, pp 35-7.

access to markets for their timber.<sup>156</sup> This added to the costs of clearing and destroyed a resource for future generations. The Don River business provided both a market for the selectors' timber and created employment in the furniture factory.

At the same time as the Don River enterprises developed, settlement expanded westward. Selectors under the Waste Lands Acts were not moving into uninhabited lands, as James Fenton had done in the forties. Since that time, a small but steady stream of timber men and tenant farmers had arrived. Stokes estimated that there were between three and four thousand people along the coastal stretch from Port Sorell to Circular Head, including the Don River settlement.<sup>157</sup>

The biggest task was clearing the land. Stokes quoted costs by the district surveyor, James Dooley, who estimated that it would take £137 to clear twenty acres in the first year. It would cost £59 for the second and third years, and another £200 in the fourth year, most of which would be fencing costs. Dooley estimated a return on this area planted to potatoes would be £250 for the first year, with prices at £2 10s per ton. The flaw in this argument is that it assumes the selector has £137 to spend on employing labour in his first year, and that he can find enough people to do the work. All selectors in the north-west had to work off

---

<sup>156</sup> David Young, 'Conservation policy and practice in Tasmanian Forests, 1870-1900', Grad Dip Environmental Studies thesis, University of Tasmania, 1991, pp 1-16.

<sup>157</sup> H J W Stokes, 'North-West Tasmania 1858-1910: The Establishment of an Agricultural Community', PhD thesis, Australian National University, 1969, pp 30-2, 38-40.

the farm, taking road contracts, splitting timber, and harvesting grain and potatoes for established farms.<sup>158</sup>

The selectors in the north-west grew wheat, oats and potatoes, and, although they aimed at self-sufficiency, almost all attempted to sell crops for cash. The big problem was transporting crops to market. The roads trusts lacked funds; most of the road works planned under the Whyte ministry were abandoned; and the Legislative Council refused to pass funding for roads until well into the mid-seventies. During the sixties, selectors in the north-west had to be content if they could feed and clothe themselves, make their land payments, and have enough left over to plant the following year's crops.<sup>159</sup>

Stokes found that the worst years on the north-west selections were 1871-2. The Australian export market for grain collapsed as selectors in the mainland colonies began producing their own grain, and, on top of low prices and poor seasons, the Victorian government levied a tariff on imported potatoes. Stokes pointed out that most farmers did not use lime, bone dust or guano.<sup>160</sup> There was plenty of lime at the Don River, but, before the arrival of the railway, there was no cheap way to transport it away from the coast into the hinterland.

## Conclusion

In his report of 1869 to the Tasmanian parliament, Robert Crawford stated:

---

<sup>158</sup> Stokes, 'North-West Tasmania', pp 48-53.

<sup>159</sup> Stokes, 'North-West Tasmania', pp 57-60.

<sup>160</sup> Stokes, 'North-West Tasmania', pp 68-70.

As bearing upon this enquiry, it may be well to endeavour to understand the effect of past legislation with reference to the crown lands. From 1858 to 1868 inclusive, the crown has sold of what is termed Agricultural land 259,693 acres; of pastoral, 432,169 acres; value (in round numbers) £600,000, of which £500,000 has probably been paid, the balance being in course of payment as instalments fall due. The transfer, in such a manner, of this land into private hands has not added one head (physical productive power) to the population of the Colony, – or increased or added one cent in value to the products raised from the soil.<sup>161</sup>

His comments had some substance. The Waste Lands Acts had enabled a pastoral land rush that had not resulted in increased output from the industry; pastoralists had put their money, and their credit, into an investment and seen no return from it. When they found themselves with land debts that they were unable or unwilling to pay, they had used their influence in parliament to extend the terms of their credit. They had also used every opportunity and their power in parliament to place obstacles in the way of the small farmers and selectors, denying those roads, bridges, and tramways, and hindering economic recovery in the process.

The persistence of squatting domination following land legislation designed to establish small farmers on the land was not unique to Tasmania. In New South Wales and Victoria, small farmers took up selections under the *Robertson* and *Duffy* acts but agriculture there was hampered by the abuses to the land legislation. The area under cultivation was increasing in both colonies, but in New South Wales, only one acre of every thirty sold was put under cultivation.<sup>162</sup> In the Riverina district of New South Wales, which eventually became one of the great agricultural districts of Australia, the squatters still held sway in the

---

<sup>161</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, (1869), p 66.

<sup>162</sup> Coghlan, *Labour and Industry*, Vol II, pp 971-2, 976-7.

1860s.<sup>163</sup> In the Western District of Victoria, one of the new areas being opened up to selection, a combination of weak legislation and corruption in parliament, in the land offices and amongst surveyors allowed the squatters to evade the law and retain their lands. Their victory, though, came at great financial cost and they were forced either to sell out, mortgage or borrow from the banks.<sup>164</sup>

The Victorian land acts produced another result, an expansion of squatting from the Western Districts into New South Wales and Queensland where the land laws were less restrictive.<sup>165</sup> In the Darling Downs region, one of the few areas where wheat could be grown in Queensland, it was squatters, not selectors, who first established successful agriculture. Squatters controlled land, labour and capital. On the Downs, they established horticultural paddocks, orchards and vineyards and, as early as 1854, established the Northern Districts' Agricultural and Pastoral Association.<sup>166</sup>

In South Australia, progress slowed in all areas of the economy in the 1860s. A severe drought beginning in 1864 devastated the pastoral industry. People emigrated, particularly to the Wimmera district of Victoria now open for selection. The new selections of Victoria and New South Wales began producing

---

<sup>163</sup> G L Buxton, *The Riverina 1861-1891: an Australian Regional Study*, (Melbourne, 1967), pp 286-7.

<sup>164</sup> Margaret Kiddle, *Men of Yesterday: a Social History of the Western District of Victoria 1834-1890*, (Melbourne, 1961), pp 233-280.

<sup>165</sup> Kiddle, *Men of Yesterday*, pp 276-7; Maurice French, 'Squatters and Separation: a Synoptic Overview', *Queensland History Journal*, 20, no 13, (2010), p 813.

<sup>166</sup> French, *Squatters and Separation*, pp 813-4.



wheat in competition with South Australia. The combination of these forces led to the land reforms there from 1869 to 1874.<sup>167</sup>

In spite of the squatting domination in Tasmania, new crops, fruit, hops, and potatoes, were emerging in the sixties and more small agricultural lots were being sold. New legislation offered a promise for the future. There were two schemes to attract immigrants to settle on small farms, the Castra settlement, and the land incentives offered in the new immigration act. An agricultural area at Goulds Country was under development. Robert Crawford had still two reports to present to parliament, and new land legislation was due in 1870. How these interventions shaped the Tasmanian future is the subject of the next chapter.

Following the election of August 1869, a new ministry was formed. There were now real possibilities for change, because this ministry contained men committed to reform. The new premier and colonial secretary, James Milne Wilson, had, as a member of the Whyte ministry, supported free trade and direct taxation.<sup>168</sup> Attorney-General, W R Giblin, was committed to social reform through helping the underprivileged. A barrister, he was an active member of the Congregational Church, and founder and president of Australia's first workers' club, the Hobart Working Man's Club. His reform agenda was practical; he supported the Hobart

---

<sup>167</sup> Meinig, *On the Margins of the Good Earth*, pp 20-2.

<sup>168</sup> Neil Smith, 'Wilson, Sir James Milne (1812–1880)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/wilson-sir-james-milne-4867/text8135>, published in hardcopy 1976, accessed online 8 April 2013.

to Launceston railway as a means of lowering costs for primary producers.<sup>169</sup> T D Chapman remained Treasurer, but decisions on land matters were no longer a matter just for the Treasurer and the Surveyor-General; a Minister for Lands and Works was appointed. Hobart surgeon, Henry Butler, held this portfolio for just three years, but, although his real interest lay in education, he had served on several of the earlier lands committees. During his ministry, work was finally begun on the Hobart to Launceston railway, and the *Waste Lands Act 1870* was framed and enacted.<sup>170</sup>

The next chapter will follow the changes to the Waste Lands Acts and land settlement as successive Tasmanian governments vacillated between reform and conservatism.

---

<sup>169</sup> E M Dollery, 'Giblin, William Robert (1840–1887)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/giblin-william-robert-3606/text5597>, published in hardcopy 1972, accessed online 3 April 2014.

<sup>170</sup> Gordon Rimmer, 'Butler, Henry (1821–1885)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/butler-henry-3128/text4657>, published in hardcopy 1969, accessed online 8 April, 2013.

## Chapter Five: Waste Lands, Turning Point 1870-1879

The introduction of new schemes for immigration and land settlement, along with the government commitment to build the north-south railway, might indicate confidence in the future, but in 1870 the Tasmanian economy was in the depression trough. Revenue from land sales was at the lowest point in decades; sheep numbers had fallen below 1.5 million; and once again emigration exceeded immigration.<sup>1</sup>

As the decade opened, the first reports from the land commissioner, Robert Crawford, were finding their way to the office of the Minister for Lands and Works, and into the press. Crawford produced descriptions and valuations for the pastoral leases, and recommendations to maximise land revenue. The latter was sorely needed, but Crawford's work had been commissioned by the House of Assembly, and, in order to implement the recommendations, the House would have to gain the support of the Legislative Council, something that had been difficult to achieve in the past.

This chapter examines the Waste Lands Acts of the 1870s through the following questions. Would the parliament implement the reforms recommended by Robert Crawford, and how would the recommendations impact on the pastoral industry?

---

<sup>1</sup> Bronwyn Meikle, 'Hard Times in the Golden Age: The Long Depression of Tasmania, 1857-75', *Tasmanian Historical Studies*, 15, (2010), pp 60-9.

Could the land schemes revitalise the economy? Were the immigration and agricultural schemes sufficient to attract immigrants to settle in Tasmania? Would men be content with the old subsistence way of life on the small farms, once the excitement and lure of financial prosperity on new mining fields beckoned? What did the *Waste Lands Act 1870* achieve, and how did the new selectors live?

The first part of this chapter analyses issues of the 1870s that impacted on the land debate around the *Waste Lands Act 1870*, followed by an examination of the new provisions and their implementation. The next part deals with the changes that took place from mid-decade, and finally, the results of the act are analysed.

Since the new waste land act drew heavily on recommendations in the Crawford reports, these are a key source. The original reports contained maps of the districts Crawford assessed, but these were not published and all attempts to find them have failed.<sup>2</sup> Without the original maps, this work has relied on Crawford's descriptions.

## **Background to the land debates**

The prolonged economic depression engendered a lack of confidence, and this translated to political instability, as one ministry after another attempted to find ways to balance the budget. Any proposal that did not meet with the approval of sufficient numbers in both houses of parliament would just be reversed, delayed,

---

<sup>2</sup> Archives consulted include Tasmanian Archive and Heritage Office (TAHO), the Tasmanian Parliamentary Library, the Lands Office in the Department of Primary Industries, Parks, Water and Environment, and the Hobart City Council Library.

or weakened until the next ministry came to power. The Legislative Council had, by this time, established its reputation for amending money bills from the House of Assembly, as well as any others that might threaten the privilege or the wallets of its members. In these circumstances, the chances of any reform agenda being implemented for long enough to make a measurable difference were slight, unless it was an advantage to the pastoral industry.

During the seventies, a succession of ministries with reform agendas failed to gain parliamentary consent to pass direct taxation, the only practical, short term measure to correct the falling revenue. In addition, Tasmanian producers were disadvantaged in the market place as parliament clung to free trading principles while neighbouring colonies strengthened protective tariffs. As each reform ministry fell, it was replaced by one more conservative that fell in its turn either when it was unable to balance the budget, or when it was forced to the realization that direct taxation was the only solution. In 1872, the Wilson ministry fell over proposals to introduce a tax on property and income. It was succeeded by the short-lived ministry of Frederick Maitland Innes, who, during his long political career, moved between the Council and the House on several occasions, but remained staunchly conservative throughout.<sup>3</sup> Innes had promised not to introduce direct taxes. Six months later, the budget was short by £100,000. The next ministry, led by Alfred Kennerley, had reached the stage where it recognised that

---

<sup>3</sup> C M Sullivan, 'Innes, Frederick Maitland (1816–1882)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/innes-frederick-maitland-3835/text6089>, published in hardcopy 1972, accessed online 23 April 2013.

direct taxation was the only remedy, when the economy showed signs of reviving, and it was able to withdraw its taxation proposals. The pattern was repeated again in the ministries of W R Giblin in 1878 and of W L Crowther in 1879.<sup>4</sup>

The obstructive tactics of the Legislative Council were not confined to preventing taxation on their wealth. They also prevented, or weakened, any proposal for development, and so prolonged the economic depression. Mark Ireland, a miner who came to Tasmania in 1874 to work the north-east tin mines and eventually became a mine manager, was amazed to find no roads and no surveying in the emerging mining towns. He blamed Tasmania's 'sleepy old government'.<sup>5</sup> In 1873, a large works proposal by the Kennerley government, which could have provided much needed employment opportunities and investment in public capital, was rejected in the Legislative Council. When Kennerley's ministry resigned in July 1876 following the failure of yet another works proposal in the Legislative Council, the *Mercury* protested that they had been 'hounded from office' by men ambitious for honour. If the Kennerley ministry had remained in office, roads and bridges, breakwaters and jetties, would have been under construction; the tin mines would have been accessible, and the 'hundreds of tons of tin lying there embargoed by bad roads would have been sent to market'.<sup>6</sup>

---

<sup>4</sup> Lloyd Robson, *A Short History of Tasmania*, edited by Michael Roe, 2nd ed, (Melbourne, 1997), pp 41-4.

<sup>5</sup> Mark Ireland, *Pioneering on North East Coast and West Coast of Tasmania, from 1876 to 1913*, (Launceston, Tas., 1915), p 14.

<sup>6</sup> *Mercury*, 25 July 1876, p 2.

Early in Crowther's ministry, the Legislative Council simply declined to consider the estimates and adjourned itself for months. It next prevented any public servants receiving their salaries for over two months. With the fall of Crowther's ministry, the Governor, Sir Frederick Weld, asked W R Giblin to form a new ministry. Giblin was finally able to introduce taxes on real property and income from dividends, annuities and rents.<sup>7</sup>

A number of factors contributed to Giblin's success. Townsley thought there was widespread recognition in the community that the time had come to end instability in government. At the same time, there was widespread dissatisfaction in the north over the continued failure of the government in Hobart to support development in the north.<sup>8</sup> The work of the Giblin ministry will be discussed further in the next chapter, but it is sufficient to note here that Giblin was an experienced politician. He maximised his support in parliament by forming a coalition ministry, and, although he was a Hobart judge, he was able to transcend the narrow regional loyalties that had divided parliament in the past. He had a long-standing commitment to the development of the railways, and had been elected in 1877 as the MHA for Wellington, Moore's old electorate in the north-west.

Although the Giblin ministry had some support in the Legislative Council, this did not prevent the Council again limiting Tasmania's possibilities for development by rejecting the works proposal of the Giblin ministry and more than halving the

---

<sup>7</sup> Robson, *A Short History*, pp 42-3.

<sup>8</sup> W A Townsley, *From Colony to Statehood 1803-1945*, (Hobart, 1991), pp 163-4.

value of a bill for debentures for £450,000.<sup>9</sup> Three quarters of a century later, historian Lloyd Robson observed that members of the Legislative Council were not very well educated.<sup>10</sup> Both he and Reynolds claimed that the pastoral interests were incapable of organised resistance to change.<sup>11</sup> Events suggest, however, that they were more than capable of jealously guarding public resources for their own benefit. The business enterprises they had developed had been heavily reliant on British funding, free land, cheap labour and the cash flow from stipends and salaries paid to them as administrators of the convict system. With all that gone, they had transferred their dependence to the resources of the colonial government. Part of their inability to accept the fact that direct tax on wealth was the only solution to the colony's financial problems lay in the fact that they were still unable to move away from that dependence. The government had always provided; they expected it always would.

The previous chapters have shown that, to date, the Waste Lands Acts had failed to establish productive small farms, and agricultural output had declined consistently in the 1860s. The 'unjust and grievous monopoly' was as strong as ever. Reynolds found that by 1875, ninety-two of the one hundred largest rural estates were owned by families who had acquired their land under the schemes prior to 1832 and that the long depression, with the associated failure in other

---

<sup>9</sup> Robson, *A Short History*, pp 42-3.

<sup>10</sup> Robson, *A Short History*, p 41.

<sup>11</sup> Henry Reynolds, 'Men of Substance and Deservedly Good Repute - Tasmanian Gentry 1856-1875', *Australian Journal of Politics and History*, 15, no 3, (1969), p 67; L L Robson, 'Press and Politics: A Study of Elections and Political Issues in Tasmania from 1856, When Self Government Came into Effect, to 1871', MA thesis, University of Tasmania, 1955, pp 30-1.



industries, served to strengthen their power in Tasmania.<sup>12</sup> As shown in Chapter Four, the *Waste Lands Act 1863* had strengthened this monopoly by allowing pastoralists to purchase thousands of acres at the reduced price of five shillings per acre.

In 1870, land matters could only be described as a muddle. Chapters Three and Four have shown there were now purchasers buying on credit under six different sets of legislation. Those who had purchased under the act of 1863 were charged twenty per cent interest per annum over ten years while purchasers under the *Waste Lands Act No 5 1868* (all selectors) were paying thirty-three per cent per annum over fourteen years. Immigrants who came directly from Europe after 1867 and paid their own fares received free land orders; Anglo-Indian settlers had the exclusive right to purchase land at Castra. There was a scheme for leasing agricultural land, and a scheme for settlement on small farms at Goulds Country. Responsibility for this administrative nightmare had just been transferred from the Survey Department to the newly-created position of Minister for Lands and Works.<sup>13</sup>

Land revenue continued to decline in the early seventies. At the end of the sixties, the government strategies to reverse this had been to implement the classification recommendations of Crawford, to appoint a Minister for Lands and Works, to combine the Survey Department with the Public Works Department, and, at the

---

<sup>12</sup> Henry Reynolds, 'Men of Substance', pp 61-72.

<sup>13</sup> 33 Vict no 4.

same time, save the salary of the retiring Surveyor-General by leaving the position vacant. Henry Butler had been appointed Minister for Lands and Works, and his brother, Francis, head of Public Works.<sup>14</sup> The anticipated gains did not materialise. In 1871, the *Mercury* pointed out that following the appointment of the Minister, land revenue from sales and rental had declined, to the point where its annual value was little more than half that of the average for the fourteen preceding years under the management of the Treasurer.<sup>15</sup>

In those years, many members and ministers were elected unopposed, so they were not vulnerable to public opinion in the same way as they are today. Nonetheless, they appear to have been somewhat sensitive to criticism so publicly expressed. In 1876, the then Minister for Lands and Works, William Moore, presented a report to the House of Assembly designed to justify the ministerial appointment. The amount of land sold certainly fell across a five year period, from 363,988 acres in 1864-9, to 235,634 acres in 1870-5, but the average price rose from 13s 10d per acre to £1 1s 2d. During the same period, the cost of the department fell from £41,814 to £ 26,834.<sup>16</sup> What the Minister had to do with the market price of land remains a mystery, but in saving the salary of a qualified Surveyor-General, the government was laying down problems for the future. Surveyors and their assistants lacked professional direction and complaints rose

---

<sup>14</sup> 33 Vict no 4.

<sup>15</sup> *Mercury*, 17 June 1871, p 2.

<sup>16</sup> 'Crown Lands: Return of Lands Sold, 1864-1875, and Cost of Department', *JHA*, XXXI, paper 96, (1876), unpagged.

with the increased demand for surveys brought on by the growth of the mining industry.<sup>17</sup>

The two parliamentarians who championed the cause of the small farmers, J D Balfe and John Davies, lost their old seats at the 1869 election, with Balfe losing his beloved seat, Franklin in the Huon district, to friend-turned-enemy, John Davies. Balfe remained in parliament until his death in 1880, but, while he retained his interest in land matters, he represented urban seats from this time.<sup>18</sup> John Davies only had two years as the member for Franklin, before passing away suddenly in July 1872.<sup>19</sup>

To add to the problems, Tasmania had lost the early advantage of raising European stock and crops on clean land, and a variety of pests and diseases had caught up with the settlers. During the 1870s, successive ministries passed legislation in an attempt to contain the damage. There were acts intended to limit the spread of Californian Thistle, by providing penalties for landowners who allowed these weeds to set flower on their properties.<sup>20</sup> In 1871, Tasmania became the first Australian colony to pass legislation for the destruction of rabbits, with the *Rabbits Destruction Act 1871* and the *Rabbits Destruction Act 1871*

---

<sup>17</sup> Alan Jones, *Backsight: A History of Surveying in Colonial Australia*, (Hobart, 1989), pp 170-1.

<sup>18</sup> Stefan Petrow, 'The Bully of Tasmanian Politics: John Donnellan Balfe 1850-1880', *THRA Papers and Proceedings*, 46, no 3 (1999), pp 117-34.

<sup>19</sup> 'Death of Mr John Davies MHA', *Mercury*, 15 June 1872, p 2.

<sup>20</sup> 34 Vict No 5 and 35 Vict No 15.

*Amendment*.<sup>21</sup> Codlin moth began to appear in the orchards around Hobart, threatening the emerging fruit industry.<sup>22</sup> All this added to the costs of both government and farm production.

Small farming faced huge problems in the early seventies, when output declined across all districts, and even the store keepers stopped supplying credit in some districts.<sup>23</sup> Many of the older districts were suffering from what was termed 'soil exhaustion', as a result of continued cropping (especially grain crops) without the use of manuring, liming and crop rotation. These had been understood in Britain since the Restoration.<sup>24</sup> They were not generally practiced in the Australian colonies in the nineteenth century. English novelist Anthony Trollope had commented on the poor farming practices in the Australian colonies on his visit in the early 1870s.<sup>25</sup> Charles Furlong, an immigrant settler under Tasmania's *Immigration Act 1867*, warned intending immigrants not to rent an existing farm because the soil would be exhausted.<sup>26</sup> The collector of statistics for the north-west district of Horton, asked to comment on the system of farming in his district, replied, 'There is nothing resembling system in the mode of farming'.<sup>27</sup>

---

<sup>21</sup> Eric Rolls, *They All Ran Wild: the Story of Pests on the Land in Australia*, (Sydney, 1969), p 104; 35 Vict No 13 and 38 Vict No 21.

<sup>22</sup> T Dobson, 'The Codlin Moth', *Royal Society of Tasmania Papers*, (1879), pp 54-8.

<sup>23</sup> 'Statistics of Tasmania, 1871: Appendix', *JHA*, XXIII, paper 2, (1872), p 189.

<sup>24</sup> Sir E John Russell, *A History of Agricultural Science in Great Britain 1620-1954*, (London, 1966), pp 37-40.

<sup>25</sup> Anthony Trollope, *Australia and New Zealand*, (London, 1873), pp 41-2.

<sup>26</sup> Charles Furlong, *The Settler in Tasmania 1873-1879*, (Hobart, 1982), p 53.

<sup>27</sup> 'Statistics of Tasmania, 1871: Appendix', *JHA*, XXIII, paper 2, (1872), p 188.

There were some problems that nothing could fix. Crops declined across all districts with a drought in 1871; the grasshoppers were unusually bad; and the southern midlands suffered from unseasonal severe summer frosts. On the other hand, there were problems which might yield to action. The rabbits were in plague numbers in the older farmlands, but a storekeeper at Oatlands had found a market for the skins, and he bought over three and a half thousand skins each week.<sup>28</sup> This marked the beginning of a source of off-farm income (and dinner) for many Tasmanian families in the midlands and the high country that lasted almost a century. Tim Jetson's study of the Central Plateau in the 1980s incorporated oral histories from people who grew up in that region and remembered the days when they survived on the proceeds of trapping (rabbits, wallabies and possums) and the produce from their small holdings.<sup>29</sup>

The dairy industry was another area where some problems could have been remedied, with a little advice and assistance. Farmers did not generally understand the need for supplementary feeding during the winter and early spring months. Productivity was reduced because, at calving time when the dairy herds most needed good nutrition, they were subsisting only on the scanty pastures that survived the winters. This problem was reported by the collector of statistics for the Fingal district, a major cheese producing district in the seventies.<sup>30</sup> In these years, no-one in the Tasmanian government gave any thought to investing in training and education for the small farmer, with the result that this problem

---

<sup>28</sup> 'Statistics of Tasmania, 1871: Appendix', paper 2, (1872), pp 186-9.

<sup>29</sup> Tim Jetson, *The Roof of Tasmania: A History of the Central Plateau*, (Launceston, 1989).

<sup>30</sup> 'Statistics of Tasmania, 1871: Appendix', *JHA*, XXIII, paper 2, (1872), p 186; 'Notes on the East Coast, No 3', *LE*, 6 May 1876, p 3.

persisted for another half century, until, in the 1930s, the state Department of Agriculture established an area at Derby to demonstrate good practices for feeding dairy herds.<sup>31</sup>

Next to rabbits and liver fluke disease, the biggest threat to the pastoral industry was scab disease, which damaged the fleeces. Unlike the rabbit plague, this was something where government measures could make a difference, and in a remarkable combined effort, the Australian colonies eradicated scab disease from their flocks in the second half of the nineteenth century.<sup>32</sup> From 1870 to 1875, a series of acts in Tasmania required dipping of all sheep, controlled sheep movements across the whole colony, and introduced a certification scheme to identify clean flocks and clean districts.<sup>33</sup> Inspectors were appointed to enforce the act, under the management of the Chief Inspector of Sheep, former premier and member for Pembroke in the Legislative Council, James Whyte. In spite of strong initial opposition from pastoralists, the legislation was successful, eradicating scab in Tasmania during the 1890s, and improving the weight of fleeces and the value of export stud stock.<sup>34</sup>

Before these measures could be effective, it was necessary to reform the old way of running sheep. The Scab Acts provided for penalties for sheep owners who

---

<sup>31</sup> F W Hicks, 'The Derby Demonstration Area (Interim Report)', *Tasmanian Journal of Agriculture*, IV, no 1, (1 February 1933), p 29.

<sup>32</sup> W Stephen Smith, 'The History of Sheep Scab in South Australia', [http://www.pir.sa.gov.au/data/assets/pdf\\_file/0003/16275/sheep\\_scab\\_history\\_bon\\_web.pdf](http://www.pir.sa.gov.au/data/assets/pdf_file/0003/16275/sheep_scab_history_bon_web.pdf), pp 3, 15-6, accessed 7 November 2013.

<sup>33</sup> The main acts were *Scab Act Amendment Act No 2*; *Scab Act Amendment Act 1874*; and *Scab Act 1875*.

<sup>34</sup> Jamie Kirkpatrick, 'History', in Jamie Kirkpatrick and Kerry Bridle, (eds), *People, Sheep and Nature Conservation: The Tasmanian Experience*, (Collingwood, Vic., 2007), p 25.

allowed infected sheep to trespass in other herds and on Crown land. In order to gain a clean certificate, flock masters had to know where their sheep were, and who they were with, every hour of the day. Robert Crawford had described finding large areas of vacant Crown land, which had been fenced in and stocked with sheep.<sup>35</sup> If pastoralists were to be accountable for their sheep, this would no longer be possible, and the *Waste Lands Act 1870* would have to provide some solutions.

As Crawford's reports came in, they identified a number of problems within both the pastoral industry and in small farming. Depasturing stock on Crown land without paying rent (that is, squatting) was widespread, but Crawford blamed the Waste Lands Acts, which offered small lots (less than 500 acres) for sale. This had allowed pastoralists to shut blocks off to outsiders by selecting surrounding lots only. He reported over 70,000 acres in the old settled districts and the Lake District were used in this manner. He advised that rental could be increased if it was charged on a scale based on the carrying capacity of the land, rather than a flat rate per acre.<sup>36</sup> He also recommended changes to the size of blocks, arguing that a block of 500 acres was generally not profitable and that instead, the minimum sized lot should carry one thousand sheep.<sup>37</sup>

Crawford found many thousands of acres of formerly good pasture land abandoned because of liver fluke disease. As he understood it, the only cure was

---

<sup>35</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, (1869), pp 69, 71.

<sup>36</sup> Crawford, 'Waste Lands of the Colony', paper 33, (1869), p 68.

<sup>37</sup> Crawford, 'Waste Lands of the Colony', paper 33, (1869), pp 65, 69, 71.

to drain the lands, ringbark the trees and burn off the land, but such a large drainage project was beyond the means of the pastoralists, and, although it was generally not advisable for government to undertake such action, he thought it might enhance the value of the pastures if the government provided some funds towards draining one or two districts.<sup>38</sup> After a decade of spending on land purchases, with no financial return to show for the investment, pastoralists no longer had the resources to improve their lands.<sup>39</sup>

Crawford identified a shortage of good land, particularly near the settled districts. In the settled districts, the Lake districts, parts of the county of Glamorgan and the whole of Pembroke, the only good land left was on Forestier's Peninsula, but again, there was evidence of large areas running stock for which no rent was paid. There was no area suitable for designation as an agricultural area. In Cornwall and Dorset (the north east) he found all the first class land around Ringarooma River taken up.<sup>40</sup>

With new land only available in remote districts, he concluded that those parts of the colony would never advance without roads. The settlement at Pipers River (north-east) was 'grievously held in check for want of even a fair bush main line to convey their produce to market'.<sup>41</sup> In the districts of the Huon River and Port Cygnet, Crawford described the only area of good agricultural land as lying east

---

<sup>38</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XX, paper 61, (1870), p 31.

<sup>39</sup> Crawford, 'Waste Lands', paper 61, (1870), p 15.

<sup>40</sup> Crawford, 'Waste Lands', paper 61, (1870), p 29.

<sup>41</sup> Crawford, paper 70, (1870), p 30.



of the Huon River, from Cygnet north to the Brown's River, but this required numerous roads because the old slab (timber) roads had failed. In the south around Port Esperance and Southport, between three and four thousand pounds had been spent on slab roads which used the best splitting timber for miles, but this had not resulted in settlement. The population dwindled once the best timber was taken, and those settlers left were in financial difficulties. Most were in debt to merchants and traders, because they had paid too much for their land and were unable to clear it. He recommended that roads be funded, not by the road trusts, but by the government, from the sale of lands in each district. He recommended easier terms for small settlers.<sup>42</sup>

### ***The Waste Lands Act 1870 and amendments***

There were three Waste Lands Acts during the seventies, but the first of these, the *Waste Lands Act 1870*, was the main act. The others were minor amendments and are discussed below in the context of the main legislation.

The new act consolidated the previous legislation. All the land acts of the 1860s were repealed, including the *Castra Act*.<sup>43</sup> The provisions of the old *Castra Act* were embedded in the new act, but their operation was set to expire in October 1871.<sup>44</sup> The final power to make decisions in land matters was transferred from the Survey Department to the Minister for Lands and Works, who was now the

---

<sup>42</sup> Robert Crawford, 'Huon: Mr Robert Crawford's Report', *JHA*, XX, paper 92, (1870), pp 31-3.

<sup>43</sup> *Waste Lands Act 1870*, Schedule 2.

<sup>44</sup> *Waste Lands Act 1870*, ss 15-19.

Commissioner of Crown Lands.<sup>45</sup> The Governor-in-Council retained the right to reserve land for public purposes and for agricultural areas, and to lease land in Crown reserves for the construction of wharves, watercourses, manufactories and mills.<sup>46</sup>

Not surprisingly given the economic situation, the cost of credit for all sales went up. The interest charge rose from one fifth to one third of the purchase price. Selectors had been paying this charge since the *Waste Lands Act No 5 1868*, but in the last years of the sixties there had been very few other land purchasers. Following Crawford's recommendations for easier terms, and in the hope of attracting new purchasers, the government lowered the deposit, from one fifth of the purchase price to one eighth. Annual repayments were lowered, in line with the selection provisions of the *Waste Lands Act No 5 1868*, by extending the credit period from ten to fourteen years.<sup>47</sup>

In an attempt to claw back some of the revenue it had lost from pastoral licences over the years the Waste Lands Acts had operated, the government now set new conditions on both the existing and new pastoral leases. Many of Robert Crawford's recommendations were incorporated into the new act.

---

<sup>45</sup> *Waste Lands Act 1870*, s 7.

<sup>46</sup> *Waste Lands Act 1870*, ss 12-14, 15-19, 21, 50-52.

<sup>47</sup> *Waste Lands Act 1870*, s 41; *Waste Lands Act 1863*, s 29.

There was no longer a fixed rental for all pastoral lands; rents were to be levied by the Commissioner for Crown Lands, giving consideration to the type and situation of the land, and its potential carrying capacity. Minimum rates for leases were fixed. Existing leases were to come under the new provisions, beginning in January 1871. The Commissioner had the power to amend the valuation within twelve months, if it was found to be inappropriate.<sup>48</sup> This was probably an attempt to stifle criticism at what were seen to be high values for the rental. Pastoral members of the Lands Committee had attempted to have Crawford's values discredited.<sup>49</sup> When the new rents were advertised in 1871, Crawford's descriptions of the land and his recommended stocking rates were published for each lot.<sup>50</sup> This practice continued up to 1874. The term on these leases remained at fourteen years.

Provision was made, at the discretion of the Minister, for a return to the old Imperial system of auctioning the leases. The prospect of being able to make more money from the pastoral leases won the day over other arguments, and the leases for new runs, as well as those forfeited under the Act, could now be auctioned. The highest bidder was entitled to a licence to occupy for fourteen years.<sup>51</sup>

In the taxation debate, every attempted reform was subsequently weakened by the vested interests in parliament. This same pattern emerged in the land legislation.

---

<sup>48</sup> *Waste Lands Act 1870*, ss 63-66.

<sup>49</sup> 'Waste Lands: Report of the Select Committee', *JHA*, XVIII, paper 126, (1869), pp 10-3.

<sup>50</sup> *HTG Extraordinary*, 7 June 1871, pp 737-750.

<sup>51</sup> *Waste Lands Act 1870*, ss 67-70.

The new provisions on leasing did not remove one of the evils of auction, namely, the opportunity for collusion by bidders. The act gave the Commissioner power to lower the price if there were no bids, so those buying at auction could wait and hope to force the price down eventually. The next piece of legislation, the *Waste Lands Act 1871*, further strengthened the possibility that the auction price could be forced down, by permitting any pastoral leases not sold at auction to be sold by private contract within the following twelve months, at either the fixed rent, or ‘any reduced rent’. No minimum price was set in this amendment.<sup>52</sup>

The act put in place a number of measures designed to strengthen the Crown’s interest in the runs and to ensure revenue. A pastoral licence was now deemed to be a chattel interest, and as such, could be transferred. In practice, pastoralists had been transferring their pastoral leases, in whole or in part, for many years by the simple expedient of writing to the Surveyor-General and requesting the transfer. There is nothing to suggest that any fee was paid for this service.<sup>53</sup> Under the new legislation, the government took control of the transfer process and levied a charge. Transfers had to be in writing, and attested by a Justice of the Peace, and they had to be registered with the Commissioner for Lands. For the first time, paying the rent was a condition of holding the licence.<sup>54</sup> Licence holders were permitted to subdivide their runs, on payment of a fee of £10 and with the permission of the Commissioner, who would then issue new licences. The power to determine the rents paid by those on such pastoral subdivisions was taken from

---

<sup>52</sup> *Waste Lands Act 1871*.

<sup>53</sup> For example, see Letter to William Archer 18 March 1864, Surveyor-General’s Letterbooks 9 Feb 1864- 12 Oct 1865 LSD16/1/19, p 48, TAHO.

<sup>54</sup> *Waste Lands Act 1870*, ss 71-74.

the original licence holder; only the Commissioner could set the rent.<sup>55</sup> The provisions were passed, in spite of some objections in the Legislative Council.<sup>56</sup>

During the 1860s, the Survey Department had not re-let runs where the owner had not paid his rent on the due date, and this had led to pastoralists simply continuing to run their livestock on land for which they paid no rent.<sup>57</sup> The new act attempted to secure the rental and prevent squatting by tightening the conditions and introducing penalties. All rents were due half-yearly in advance, instead of annually (one of Crawford's recommendations). As in previous acts, they were 'determinable' if the money was not paid within one month, but now the Commissioner for Crown Lands could revoke the licence if any condition of the licence were violated.<sup>58</sup> Licensees who continued to occupy the land in these circumstances would be treated as trespassers.<sup>59</sup> For the first time, the *Waste Lands Act* specified that the rent on leases was recoverable at law.<sup>60</sup>

In an attempt to encourage the development of agriculture on small farms and remove competition from large landowners, the *Waste Lands Act 1870* prohibited holders of pastoral licences from cultivating their runs, except for such grain, hay,

---

<sup>55</sup> *Waste Lands Act 1870*, ss 77-78.

<sup>56</sup> *Mercury*, 13 October 1870, p 3.

<sup>57</sup> Crawford, 'Waste Lands of the Colony', paper 33, (1869), p 65.

<sup>58</sup> *Waste Lands Act 1870*, s 79.

<sup>59</sup> *Waste Lands Act 1870*, ss 75, 79.

<sup>60</sup> *Waste Lands Act 1870*, s 81.

vegetables, and fruit as required to supply the family and the establishment. The sale or barter of any produce from a licensed run would attract a penalty of £20.<sup>61</sup>

In Tasmania this was essentially legislation without teeth, since most pastoralists now worked freehold land. They had acquired most by grants in the twenties and early thirties, and the Waste Lands Acts had enabled them to purchase whatever they chose from lands acquired under the 1851 Regulations and from any leases subdivided by the Survey Department and put up for auction. They could do as they pleased on freehold land. What was left was the least desirable of the pastoral lands, probably inaccessible and of little use for agriculture. This explains why the provision received so little attention in the parliamentary debates; it posed no threat to the pastoral interests.

The same argument may apply in the issue of selection of pastoral lands, which had been possible for certain classes of pastoral land under every land act since the 1851 Regulations. Crawford found that this practise had not resulted in legitimate settlement or proved profitable to the revenue; instead, it had allowed pastoralists to purchase small lots and prevent the occupation of thousands of acres adjoining land. He recommended that selection of pastoral lands cease.<sup>62</sup> The new act stipulated that selection could only take place on agricultural land.<sup>63</sup>

---

<sup>61</sup> *Waste Lands Act 1870*, s 76.

<sup>62</sup> Crawford, 'Waste Lands of the Colony', paper 33, (1869), p 71.

<sup>63</sup> *Waste Lands Act 1870*, s 24.

The act made no mention of the pre-emptive rights lands, but the remaining leases under the 1851 Regulations were due to expire within the next three years, and the Treasurer, T D Chapman, expected to have almost 140,000 acres at his disposal from 1872 to 1874.<sup>64</sup> Until then, the Minister's office received a number of queries from pastoralists attempting to stretch the rules. William Archer, now residing in Melbourne, applied for an extension of time to occupy his quiet enjoyment lands in the vicinity of his *Cheshunt Estate*. He had already received credit relief in 1864 on the associated pre-emptive rights land, and argued that the period of the lease should be counted from that date, not the purchase date. He was refused.<sup>65</sup>

The matter was put to rest in the *Waste Lands Act 1872*, which made it lawful for the Commissioner to sell by auction any of the quiet enjoyment lands held under the 1851 Regulations, regardless of whether they had ever been offered for sale before, or whether they had ever been surveyed or shown on any public chart.<sup>66</sup> This was a decision that should have been made fifteen years earlier. If the Tasmanian government had been able to put the rich forest lands of northern Tasmania on the market as the alluvial gold petered out in Victoria at the end of the fifties, they may have attracted Victorian diggers onto selections in the region.

The provisions of the *Waste Lands Act No 5 1868*, the act governing agricultural selection, were retained in the new legislation, the only change being to introduce

---

<sup>64</sup> 'Land Revenue', *JHA*, XXII, paper 61, (1871), pp 5-6.

<sup>65</sup> Letter to William Archer, 12 August 1872, Surveyor-General's General Letterbooks, LSD16/1/31, Letter 650, TAHO.

<sup>66</sup> *Waste Lands Act 1872*, ss 1-3.

easier terms in the first three years and the fourteen year repayment period.<sup>67</sup> Leasing of agricultural land, permitted under sections 3 to 6 of the *Waste Lands Act No 4*, was abandoned, and selectors under this act, which included the Goulds Country selectors, were brought into the new schedule for purchasers, entering at the fifth year of the schedule.<sup>68</sup> The requirement for personal residence was removed, but ‘the Selector, his tenant or servant’, was required to take up residence within one year.<sup>69</sup> This was to become an issue in the following decade, and is discussed in more detail in Chapter Six.

Selection by children was not mentioned in the act, but the practice of allowing purchases in the names of children in order to circumvent the maximum permitted acreage was continued in practice, provided cash was paid for the minor’s portion of the land.<sup>70</sup> Five years later, the government found it necessary to pass the *Relief of Infants Act*.<sup>71</sup> This made it impossible in most circumstances to recover a debt contracted by an infant.

In spite of the apparent easing of terms, there was no escaping the fact that a selector purchasing 100 acres would pay £133 plus survey and grant deed fees. Robert Crawford found, by enquiring from industrious settlers, the average family

---

<sup>67</sup> *Waste Lands Act 1870*, Schedule 1.

<sup>68</sup> *Waste Lands Act 1870*, s 30.

<sup>69</sup> *Waste Lands Act 1870*, ss 24-27.

<sup>70</sup> Letter to W A Kermode, 28 January 1871, Surveyor-General’s General Letterbooks, LSD16/1/27, Letter 22, TAHO.

<sup>71</sup> 39 Vict no 4.



could clear no more than three acres per year.<sup>72</sup> A selector who managed to pay off his land in fourteen years would find, at the end of that time, he had fifty-eight acres of forest and a working farm of only forty-two acres, for which he had paid over £3 per acre.

With evidence before the parliament that selection by small farmers increased when roads were built in new districts, the new act provided that one half of the revenue raised from selection was to be used for making roads in the vicinity of the land selected, with the other half of the revenue from selection raised in any district used to pay off the debentures that would have to be issued to fund the road construction.<sup>73</sup> This looks like a serious attempt by government to provide roads for selectors, but in practice it was hedged about by conditions that could make it almost inoperable. The act specified that five hundred acres had to be taken up by a minimum of ten selectors 'adjoining or within a short distance of each other', before any roads would be constructed.<sup>74</sup> Finding five hundred acres of good agricultural land anywhere in Tasmania had become difficult. Although there was nothing in the act or any regulations to justify such a step, someone (the Minister for Lands or the Treasurer, presumably) had decided that only selectors who purchased on credit would be counted as part of the required number. This

---

<sup>72</sup> Crawford, 'Waste Lands of the Colony', paper 33, (1869), p 68.

<sup>73</sup> Eighty lots were taken up in the Ringarooma, Scottsdale and Patersonia districts on completion of the road. 'Crown Lands: Return of Certain Selections for Purchase', *JHA*, XX, paper 110, (1870), unpagged.

<sup>74</sup> *Waste Lands Act 1870*, ss 28-30.

was used to prevent expenditure on roads in the vicinity of Port Cygnet, where of eleven selectors, two had purchased for cash.<sup>75</sup>

The *Waste Lands Act 1870* made the first attempt in Tasmania to contain squatting. It not only retained the provisions regarding the unlawful occupation of Crown land from the 1863 act, but, for the first time, introduced penalties (fines from £5 to £50) for running sheep or cattle illegally on Crown land.<sup>76</sup> The Survey Department was no longer responsible for dealing with squatting; only someone authorised by the Commissioner could undertake proceedings to recover the fines.<sup>77</sup> The Commissioner for Lands was given the power to appoint ‘a sufficient number’ of persons to act as Bailiffs for Crown Lands, whose tasks were to prevent ‘intrusion, encroachment, and trespass’ on lands, to levy and recover rent or licence fees, and to take and recover possession of forfeited lands.<sup>78</sup>

This proposal aroused controversy from the time it was discussed in parliament, with most of the attention focussed on the small farmers and landholders under the 1851 Regulations. In the Legislative Council, William Grubb (MLC for Tamar) thought that, if they wanted men to settle on the land, they ought to treat them with forbearance, and not make them forfeit their lands if they could not pay one instalment, while Dr Crowther (MLC for Hobart) wanted the state to accept a payment equal to the interest on the amount due. Crowther argued particularly

---

<sup>75</sup> ‘Memorial from Residents of Bedford, District of Franklin’, *JHA*, XXII, paper 69, (1871), unpagged.

<sup>76</sup> *Waste Lands Act 1870*, ss 78-89.

<sup>77</sup> *Waste Lands Act 1870*, s 87.

<sup>78</sup> *Waste Lands Act 1870*, s 89.

that relief be given to the holders of pre-emptive rights lands, but he did not explain why he thought twenty years was insufficient to pay off the debt.<sup>79</sup> For the time being, the need for revenue overrode other considerations, but, at the instigation of John Davies, a clause was inserted into the act to allow the Governor-in-Council discretion to postpone the sale of any land where payments were in default.<sup>80</sup> The issue came to a head within the year.

With the passing of the new act, Davies and Balfe both campaigned to protect small farmers from the seizure and auction of their lands for non-payment of instalments. When extensive lists of defaulters were gazetted, then published in the *Mercury*, the paper hastened to point out that defaulters suffering hardship could apply for postponement of the sale, although it urged those who were able to pay not to take advantage of the provision.<sup>81</sup> Balfe wrote an impassioned letter to the *Mercury*, in which he pointed out that the Treasurer might be staving off the pressure of taxation from what he termed the 'monied interests', but this was at the cost of poor farmers and their families, who were 'broken down by incessant toil, with such labour as no convicts or galley-slaves ever endured'. Balfe welcomed the *Mercury's* announcement that farmers could apply to pay only interest instead of a full instalment.<sup>82</sup>

---

<sup>79</sup> *Mercury*, 13 October 1870, p 3; Crowther did hold 270 acres under these regulations, on which he had already obtained credit relief. 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), p 88.

<sup>80</sup> *Waste Lands Act 1870*, s 43; 'Land Defaulters', *Mercury*, 21 December 1870, p 3.

<sup>81</sup> *Mercury*, 7 December 1870, p 2.

<sup>82</sup> J D Balfe, 'Land Defaulters', *Mercury*, 21 December 1870, p 3.

Balfe received support from a Hobart businessman, C F Cresswell, who had supplied 'store credit' to farmers in the Huon for years and advanced some the money for their instalments. Cresswell pointed out that not all small farmers had been able to obtain credit relief. He cited the case of a poor widow with children who, when she took the few shillings needed to pay the interest owing to the Treasury, she had been refused and told she must pay the full instalment of £6 3s 6d. She had tried to sell her two cows, the chief source of food for herself and family, but her neighbours were too poor to buy them. The writer complained that some provisions of the land act were 'a disgrace to any civilised, aye, or uncivilised, country'.<sup>83</sup>

There were factions opposed to credit relief for defaulters, mainly out of fear that the poorer classes might gain some power or advantage from it. The *Cornwall Chronicle*, which had constantly deplored the government failure to provide roads for settlers, feared Balfe's letter would 'breed discontent among the settlers, [and] extinguish effort, so that the instalments will never be paid'.<sup>84</sup> It omitted to mention that large landholders owed thousands to the government in money unpaid on the pre-emptive rights lands and pastoral leases, and that they continued to run stock on Crown land without paying leasehold fees.

The debate raged throughout the year, but it became increasingly clear that few people had the money to pay for anything. It culminated in December 1871,

---

<sup>83</sup> C F Cresswell, 'Land Defaulters,' *Mercury*, 29 December 1870, p 3.

<sup>84</sup> *Cornwall Chronicle*, 6 January 1871, p 2.

following the gazetting of another round of defaulters' auctions.<sup>85</sup> When Balfe brought a motion for credit relief before parliament, the Ministry agreed. The Treasurer proposed to give credit relief until 1 May 1873, and to cover the shortfall in revenue by the issue of Treasury bills. The only real objection in the House came from former Treasurer, Charles Meredith, who wanted credit relief extended to purchasers of larger lots. The ministry did not oppose this, but, in order to expedite the bill for relief, the Treasurer proposed leaving cases of larger landholders to the discretion of the Executive.<sup>86</sup> The act to provide credit relief was passed two weeks later, allowing purchasers, upon application to the Commissioner for Crown Lands, to retain their land upon payment of five per cent charge on outstanding instalments.<sup>87</sup> Most purchasers, large and small, seem to have availed themselves of this opportunity to retain ownership under the terms for credit relief since there were very few lots advertised in the columns for the defaulters' land sales in the *Hobart Town Gazette* during the last week of December 1871.<sup>88</sup>

From this point on, the Executive seems to have taken a relaxed approach to applications for credit relief, permitting defaulting landholders to resume ownership under a range of conditions. Joseph Harman, who had defaulted on his selection of 100 acres at Rocky Cape under the *Waste Lands Act 1858*, was permitted to resume his occupation 'on payment of £3 13 4 plus interest'. He was

---

<sup>85</sup> 'Sale of Crown Lands', *HTG*, 5 December 1871, pp 1452-7.

<sup>86</sup> *Mercury*, 8 December 1871, p 3.

<sup>87</sup> 'An Act to Afford Relief to Purchasers of Crown Land under the Credit Clauses of *The Waste Lands Act 1863*', 35 Vict no 5.

<sup>88</sup> *HTG*, 26 December 1871.

given twelve months to pay.<sup>89</sup> Large landowners were not forgotten, although the terms might be harder. One of the island's largest landholders, P T Smith, had omitted to make payments since 1860 on lots 1841, 1842, and 1847 on the Eastern Marshes. He was permitted to re-occupy on condition he pay the balance of the purchase money plus six per cent interest.<sup>90</sup> If the truth be told, he had probably continued to run his stock on the land in the years he was in default.

Not all applications received favourable treatment, and the result of transferring responsibility for the decision-making on individual cases to the Executive was a lack of transparency in the processes as well as inconsistency in the principles applied. It appears, however, that applications from resident improvers were the most likely to receive favourable treatment. Miss Laura Bishton, keeping a school with her sister in Melbourne, had purchased two lots under the *Waste Lands Act* 1868. She applied to the Lands Department to have the money she had already paid credited to one lot, which she wished to keep, while forfeiting the other. She was advised that the lots had already been offered for auction but failed to sell; she could therefore apply to the Governor to keep the land if she paid the arrears.<sup>91</sup> Her application was referred to the House of Assembly, which disallowed her claim. On the same day, the House learned that the Governor had approved an application from a widowed Mrs Wright to be granted of 463 acres in Whitefoorde with no further payment to the Crown. This land was part of a

---

<sup>89</sup> Letter to Colonial Treasurer, 12 February 1872, Surveyor-General's General Letterbooks, LSD16/1/29, Letter 686, TAHO.

<sup>90</sup> Letter to P T Smith, 1873, Surveyor-General's General Letterbooks, LSD16/1/33, Letter 423, TAHO.

<sup>91</sup> 'Miss Bishton: Correspondence with the Lands and Works Department', *JHA*, XXVI, paper 105, (1874), unpagged.

selection for 1,722 acres belonging to her husband Joseph, now deceased, on which £672 had been paid.<sup>92</sup>

Another applicant who was refused was J D Balfe, the member who had been so assiduous in his efforts to obtain credit relief for the small farmer. He applied for permission to reoccupy a lot of 320 acres on which he had defaulted. He was told the provisions did not apply to that lot. This reason may have been clear to Balfe, since the Minister for Lands, Henry Butler, had referred the question to the Attorney-General, W R Giblin.<sup>93</sup> Its meaning is lost in the mists of time as far as the modern reader is concerned; the response lacks sufficient detail to be clear. It does raise a question about the relationship between Balfe and the ministry. Was Balfe just too much of a troublemaker in parliament to be granted consideration?

The long-awaited sale of quiet enjoyment lands began from 1874.<sup>94</sup> It triggered another brief pastoral land rush. Most of the lots offered were subdivided into smaller blocks, contrary to Crawford's recommendations. The descriptions indicate that the Survey Department took care to subdivide in a way that optimised access to any available water, unlike those agricultural subdivisions on Johnnys Creek in 1858. The improvement in wool prices brought about a higher

---

<sup>92</sup> 'Votes and Proceedings, 10 September 1874,' *JHA*, XXVII, (1874).

<sup>93</sup> The letter simply states that the provisions of s 5 do not apply; there is no further explanation. It is not clear, from the letter or the record of the debates in the *Mercury*, to which act the section 5 belongs. Letter to J D Balfe, 6 February 1872, Surveyor-General's General Letterbooks, LSD16/1/29, Letter 632, TAHO.

<sup>94</sup> 'Sale of Quiet Enjoyment Lands', *HTG*, 8 December 1874, pp 1261-3; 6 July 1875, pp 647-8; 6 November 1877, p 1079.

than expected demand for some of the quiet enjoyment lands. From 1870 to July 1874, a total of 65,783 acres were sold, many to the original lessee. While Crawford had valued these lands at £32,080, they had realised £67,492. Only 5,846 acres were sold for cash, but five per cent interest per annum was charged on the remainder and this secured annual revenue of £2,580 for fourteen years.<sup>95</sup>

Many of the unsold lots adjoined land still held by the original lessee. A new purchaser could well have found this intimidating, supposing he could have found the land at all, for many unsold lots had no access. Not surprisingly, many of these remained unsold for years. Consider just two of the many cases. Lot 3, County Cornwall, Parish of Uplands, had access to water where it fronted the Ben Lomond Rivulet, but it adjoined land purchased by its former holder, Roderic O'Connor, and was surrounded by his land and that of D R Faulkner. There was nothing to prevent O'Connor and Faulkner from continuing to run stock on the land. William Archer's quiet enjoyment land, on the east bank of the Mersey River, located near the Archer's *Cheshunt Estate* and just twelve miles from the new Deloraine railway station, had reserved (but not made) roads running through it. Like the land on the Ben Lomond Rivulet, it was offered for sale in 1874, and remained unsold in 1877.<sup>96</sup> The lot numbers into which Archer's land was sub-

---

<sup>95</sup> 'Quiet Enjoyment Lands', *JHA*, XVII, paper 43, (1874), pp 3-4.

<sup>96</sup> 'Sale of Quiet Enjoyment Lands', *HTG*, 6 July 1875, pp 647-8; 'Quiet Enjoyment Pastoral Lands', *HTG*, 6 November 1877, p 1079.



divided cannot be located in the Lands Office database, an indication that they have never been through the granting process, that is, they were never sold.<sup>97</sup>

During 1874, with a public works scheme to fund, the Kennerley government put in place a number of strategies to increase land sales, and new pastoral leases were offered for auction. These lots had a lowest upset price, but no valuation based on carrying capacity. Much of this land lay in or close to what was previously known as the unsettled lands, for example, land on the west coast fronting the South Pacific Ocean and the Arthur River, where 10,000 acres was available for £40 annually.<sup>98</sup> None of this land was suitable for sheep, and there was no demand for it in the seventies, but the coming years would see a demand for beef as the tin mines in the Waratah district opened up, and the leases were gradually taken up during the eighties.<sup>99</sup> The site of the former penal settlement on Tasman Peninsula was also opened up for sale. The remaining prisoners, lunatics, and indigent persons were to be removed. The land would then become waste lands of the Crown, and it, and the buildings, would be disposed of by public auction.<sup>100</sup> At this stage, there was no provision to permit selection in this district.

---

<sup>97</sup> Personal communication. Robert Higgins, Program Leader, Survey & Administrative Drafting Services, Information and Land Services Division, Tasmania: Department of Primary Industries, Parks, Water and Environment (DPIPWE), 16 January 2013.

<sup>98</sup> 'Land sales', *HTG*, 29 December 1874, pp 1352-62.

<sup>99</sup> T Jetson, *It's a Different Country Down There: A History of Droving in Western Tasmania* (Smithton, Tas., 2004), pp 25-6.

<sup>100</sup> *An Act to Make Provision for the alienation of the Lands of the Crown at Tasman's Peninsula*, 38 Vict no 18.

The scheme to offer land as an incentive to immigrants who paid their own fares had not been highly successful. By this time, Tasmania was competing for population against Queensland, which now offered a range of assisted immigration schemes, and from 1870 to 1876, had received about 39,000 immigrants from Europe. At the same time, some 22,000 people had travelled by sea from the southern Australian colonies to Queensland.<sup>101</sup> Tasmania lost out both ways.

To the end of 1873, Tasmania's scheme had delivered forty-two males, twenty-seven females, and eighty-nine children. A total of 2,611 acres had been selected, but perhaps its greatest strength lay in the fact that these immigrants had sufficient capital to purchase an additional 997 acres, land worth around £1,000. They selected mostly in Devon. Land orders had also been issued to immigrants recruited to work on the Main Line Railway (Hobart to Launceston). The construction company had brought in 395 men, seventy women, and sixty-five children. They too selected in the north-west, but the grants (titles) would not to be issued until they had completed their engagement with the company.<sup>102</sup> Many of the latter group did not settle on their land.<sup>103</sup>

---

<sup>101</sup> T A Coghlan, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901, Vol III*, (Melbourne, 1969, first published 1918), p 1293.

<sup>102</sup> 'Board of Immigration: Report for 1873', *JHA*, XXVII, paper 71, (1874), pp 4-7.

<sup>103</sup> William Moore, now Minister for Lands and Works, claimed in parliament that all the railway immigrants had left. Moore was strongly opposed to immigration. *Mercury*, 22 October 1886, p 3.

In the House of Assembly, the question of land for native youth arose again. James Dooley, the member for West Devon, had presented a petition with four hundred signatories requesting land grants for native youth. He was supported by Charles Meredith, who wanted incentives for those who had left Tasmania to return, and by Balfe, who argued that they should give the land to anyone who wanted to come. The Attorney-General feared this 'would enlarge the bill in a way that would be very dangerous'. He explained that the intention was to attract immigrants with capital, and not to compete against neighbouring colonies for people, a competition which Tasmania, with fewer resources, could never hope to win. F M Innes, Treasurer under a former ministry, said it was a basic economic law that people followed profit and no incentive scheme would change that.<sup>104</sup>

No-one was prepared to admit that the preference given to European immigrants over native youth and other Australian immigrants arose from the fear that emancipists and their descendants might become landholders, even neighbours. No-one, that is, until David Lewis, MHA for Clarence (near Hobart), stated that he was opposed to any free selection principle 'where men might pick out a small lot of land in the midst of a large sheep run, and feed on their neighbours' mutton'.<sup>105</sup> Lewis, although a Hobart merchant, had connections through his brother with the pastoral families of Cox and Youl.<sup>106</sup> Members ignored his

---

<sup>104</sup> *Mercury*, 27 August 1874, pp 3-4.

<sup>105</sup> *Mercury*, 27 August 1874, pp 3-4.

<sup>106</sup> Bennett, *Biographical Register*, pp 97-8.

remark, until Balfe objected to Mr Lewis's remarks that settlers were sheep stealers; it was not borne out by the evidence.<sup>107</sup>

In spite of the support for widening the immigration act to include Australians and New Zealanders, the legislation excluded land grants to immigrants from these locations. It attempted to ensure immigrants would remain in Tasmania by prohibiting them from receiving the grant (title deed) until they had lived in Tasmania for five years.<sup>108</sup> This was another lost opportunity for the Tasmanian government. Immigration had declined since the abandonment of the old bounty system in 1863.<sup>109</sup> If they wanted population growth, the simplest and least expensive way to achieve it was to recruit Australian and New Zealand immigrants, even former residents. An influx of migrants could have flooded the labour market, but, if they came as selectors, it is equally likely that increased numbers of people on the ground, with a wider range of experience and skills gained in the Australian gold fields, would instead have led to earlier discovery and development of the mineral resources. Fear held the government back, but Innes was right. People followed profit, as the next four years were to show.

## The Tipping Point

The year 1876 marked the turning point in Tasmania's fortunes, when, following the discovery of tin, immigrants and former residents gradually returned to the

---

<sup>107</sup> *Mercury*, 27 August, 1874, pp 3-4.

<sup>108</sup> *The Immigration Act 1874*, 38 Vict no 16.

<sup>109</sup> F K Crowley, 'Immigration into Tasmania from the United Kingdom, 1860-1919', *THRA Papers and Proceedings*, 3, no 6, p 104.

Island. It remains one of the delightful ironies of Tasmanian history that, while the landed gentry were trying to keep small settlers off the land for fear they might be emancipists, and the parliament was vainly trying to balance its budget and recruit 'desirable' European immigrants, the Island's fortunes were restored by a man of convict descent, James 'Philosopher' Smith.<sup>110</sup> Smith found tin in the hinterland behind his farm near Forth, sold out to the Mt Bischoff Tin Mining Company, and Tasmania's mining industry began. Tin from the north-west was taken by bullock team to Burnie and shipped to the new smelters at Launceston, with the first output in 1875. The company invested its early profits, so there was no rush until 1879 when Mt Bischoff began paying large dividends. Blainey thought this revolutionised the Island's mining because the boom brought capital with the result that in the 1880s mining and exploration expanded through the north-west.<sup>111</sup>

The discovery of the north-eastern tin field, with its first output in 1875, followed after Tasmanian George Renison Bell visited the Mt Bischoff mines and then led a party of prospectors through the country eastwards from Scottsdale.<sup>112</sup> This story belongs to the selectors of Goulds Country, and is told in Chapter Seven.

---

<sup>110</sup> Alison, Alexander, *Tasmania's Convicts: How Felons Built a Free Society*, (Crow's Nest, NSW, 2010), p 208.

<sup>111</sup> Geoffrey Blainey, *The Peaks of Lyell*, (Melbourne, 1954), pp 4-19.

<sup>112</sup> Nic Haygarth, *Baron Bischoff: Philosopher Smith and the Birth of Tasmanian Mining*, (Perth, Tas.), p 111; 'Pioneer Prospectors of Weldborough and District', *LE*, 2 May 1896, pp 13-4.

The Tasmanian government was slow to take an interest in the new mining industry, partly because members were really interested in gold, not tin. They were also conservative, and years of emulating England's landed gentry had ill-equipped them for either coping with, or leading, change. Wiener argued that the British education system, with its neglect of subjects in science, commerce and technology, created an elite that lacked dedication to work, drive for profit, or the willingness to attempt new ventures.<sup>113</sup> He could be describing Tasmania's parliament in the nineteenth century. John Whitehead, pastoralist and MHA for Morven for eleven years, was typical. As mining expanded, he declared, 'I have avoided it as I would a pestilence'.<sup>114</sup>

One person who was interested was the new governor, Sir Frederick Aloysius Weld, appointed in January 1875. His biographer, T S Louch, reported that Weld 'lacked the common touch'.<sup>115</sup> However, this is not the picture that emerges of his stay in Tasmania. Weld's biographers have paid little heed to his time in Tasmania. Both Lovat and Graham saw Weld as an Empire-builder in an Empire where Tasmania was of little significance.<sup>116</sup> However, Weld made two important contributions with lasting consequences for government in Tasmania. The first of these was a series of tours he embarked on soon after his arrival, and is discussed

---

<sup>113</sup> Martin J Wiener, *English culture and the Decline of the Industrial Spirit, 1850-1980*, (Harmondsworth, Middlesex, 1985), pp 17-25.

<sup>114</sup> A Whitehead, F Vernon, and M Sprod, *The Whitehead Letters; Tasmanian Society and Politics 1871-1882*, (Hobart, 1991), p 192.

<sup>115</sup> T S Louch, 'Weld, Sir Frederick Aloysius (1823-1891)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/weld-sir-frederick-aloysius-4829/text8055>, published in hardcopy 1976, accessed online 29 April 2013.

<sup>116</sup> Alice, Lady Lovat, *The Life of Sir Frederick Weld*, (London, 1914), pp 233-48; Jeanine Graham, *Frederick Weld*, (Auckland, NZ., 1983), pp 146-57, 196-7.

below. The second was made in a constitutional crisis at the end of the seventies, and is discussed at the end of this chapter.

Weld set out to explore his new colony, in order to determine its needs and wants. If these trips achieved nothing else, they took the Minister for Lands and Works, local members and other parliamentarians, and accompanying representatives of the press, out into the countryside, where they could see for themselves the effects of their policies. Within two months of Weld's arrival, the *Cornwall Chronicle* pointed out that there were members 'of both houses of parliament, colonists from twenty to forty years standing, or natives of the colony, who have never made so wide a tour'.<sup>117</sup>

His travels to the tin mines reveal the differences in development between the mines in the north-east and the north-west in the mid-seventies. In 1875, those of the north-west showed evidence of capital investment, with managers' and miners' huts, stores and stables, complex sluicing structures, an American treadle machine and Californian pumps.<sup>118</sup> Three years later, visiting the north-east tin mines for the second time, the Governor and the current Minister for Lands, Christopher O'Reilly, rode through the country to the mine at Krushka's Bridge (later the town of Derby). At this stage, the workings were still alluvial, and the Governor wanted miners to tell him what the prospects were for the industry developing beyond this stage. Opinions agreed that it would proceed to lode

---

<sup>117</sup> 'Vice-Regal', *Cornwall Chronicle*, 5 March 1875, p 3.

<sup>118</sup> 'Vice-Regal,' *Cornwall Chronicle*, 22 March 1875, p 3.

mining before the streams were washed out. The *Cornwall Chronicle* thought this would encourage Ministers and parliamentarians to outlay a considerable amount in the district; the Governor had commented on the execrable state of the roads.<sup>119</sup>

## Results

Land sales and associated revenue fell during the 1870s, but revived in the final years. A total of 404,563 acres of country land were sold in the seventies, compared with 680,400 acres in the sixties. The total land revenue from pastoral and agricultural land fell from £671,779 in the sixties to £403,130 in the seventies. Certainly, land schemes did not revitalise the government revenue during the seventies. Even the long-awaited sale of the quiet enjoyment lands had produced little more than an opportunity for the existing pastoralists to purchase more of their leases, which they did with a vengeance in 1874. Although the government mostly abandoned the classification of lands as ‘pastoral’ and ‘agricultural’ for the reporting during the seventies, there is a table that makes this distinction. It shows 59,434 acres of pastoral lands were purchased in 1874, when the average price of pastoral lands rose to just over £1 per acre. In the same year, there were only 13,302 acres of agricultural land sold at an average price of £1 10s per acre. Sales of pastoral land then fell away, down to 8,096 acres in 1879, when it was only worth fifteen shillings per acre.<sup>120</sup>

---

<sup>119</sup> ‘Vice-Regal Trip to the North-Eastern Districts’, *Cornwall Chronicle*, 18 January 1878, p 2.

<sup>120</sup> ‘Statistics of Tasmania 1881’, *JHA*, XLII, paper 1, (1882), p 160.



The development of mining meant the decline in land revenue was no longer a disaster for the government. In Chapter Two we saw that net migration became positive in the mid-seventies, and this created an increased demand for land. By the end of the decade, annual land sales figures had more than doubled, from 23,759 acres sold in 1870 to 53,604 acres sold in 1879. The increased demand resulting from the pastoral boom produced growth in the acreage under leasehold, from 1,350,211 acres in 1870 to 2,023,013 acres in 1879.<sup>121</sup>

The average price paid for town lands reflected popular confidence in the economy; the price rallied with the pastoral boom and the beginning of mining of the mid-1870s. By 1879 town land was back to the values of the early 1860s, at an average price just over £10 per acre.<sup>122</sup> In the same year, town lots in Launceston, now the terminus of two railway lines and home to the smelters for the Mt Bischoff Tin Mining Company, fetched £28 per acre. Lots in Waratah, close to the western tin mines, reached the dizzy heights of £75 per acre.<sup>123</sup>

Later in the decade, public works, road building, and the construction of the railways created demand for small farms in the districts now supplied with transport. This becomes quite clear when the distribution of selections is examined in conjunction with the district surveyors' comments. (See Table 5.1)

---

<sup>121</sup> Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, paper 150, (1891), p 10.

<sup>122</sup> 'Statistics of Tasmania 1879: Part VI, Crown Lands, Agriculture, &C,' *JHA*, XXXVIII, paper 1, (1880), p 154.

<sup>123</sup> 'Statistics of Tasmania 1879', paper 1, (1880), p xxi.

Table 5.1: Selections by County 1870-1881

County	Number of lots	Acres
Devon	836	64,104
Westmorland	250	23,057
Buckingham	688	30,342
Monmouth	274	10,778
Cumberland	44	5,781
Kent	215	12,582
Glamorgan	30	3,963
Cornwall	218	11,250
Wellington	144	8,343
Pembroke	136	7,829
Dorset	467	42,860
Somerset	26	5,729
Lincoln	10	2,318
Islands	14	892
Total	3,352	229,828

Source: 'Crown Lands: Return of Land Purchased under the 24th Section of the Waste Lands Act up to 30th June, 1881', *JHA*, XLI, paper 117, (1881), pp 3-4.

Most lots selected were in the counties of Devon and Dorset, where both agriculture and tin mining were developing. The other county with significant numbers of selections was Buckingham, in the south, where the settlement was taking place nearer the settled districts with accessible transport and facilities. In Glenorchy, these days part of greater Hobart, eighty-six lots with an area of 3,562 acres were taken up. Around Mountain River, north of the Huon River, eighty lots with a total of 2,987 acres were selected, and at Port Cygnet, the mouth of the

Huon River with an existing port infrastructure, seventy lots with a total of 2,509 acres were selected.<sup>124</sup>

The rural industries had purchased an additional 404,000 acres of land in the seventies; what did they manage to do with it? For the first time since the passing of the Waste Lands Acts, output in the pastoral industry rose. See Table 5.2. More sheep were kept as a result of the higher prices for wool, and the flocks themselves were more productive with the improvements brought about under the legislation to eradicate scab disease. It had taken twenty years to see any return on the money pastoralists had spent buying more land.

Table 5.2: Wool Exports, 1858, 1862, 1869, 1879

Wool Exports	1858	1862	1869	1879
Weight (lbs)	5,701,884	5,241,650	5,607,083	7,385,002
Value £	393,646	366,350	303,209	407,227

Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, paper 150, (1891), pp 7-12.

Agriculture continued to give mixed results, as farmers turned away from the less profitable agriculture to pastoral activities. Figures are shown in Table 5.3. Wheat was having a good year in 1879, but this was just an exception to the trend. Oats

<sup>124</sup> 'Crown Lands: Return of Land Purchased under the 24th Section of the Waste Lands Act up to 30th June, 1881', *JHA*, XLI, paper 117, (1881), pp 3-4.

and barley were doing better, and the apple industry was growing. Potato production was still falling.

Table 5.3: Agricultural Output 1858/9, 1868, 1879

Product	1858/9 bushels	1868 bushels	1879 bushels
Wheat	930,298	878, 826	1,042,990
Oats	632,461	477,985	1,065,847
Barley	102,631	125,614	182,753
Apples	89,327	169,478	140,277
Pears	32,285	25,670	19,340
Potatoes	41,493 tons	27,374 tons	31,103

Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, paper 150, (1891), pp 10-12.

With the growth in the pastoral industries, and increasing demand from the mining districts for meat, the numbers of sheep and cattle both rose. See Table 5.4.

Table 5.4: Livestock Numbers 1858/9, 1868, 1879

Livestock	1858/9	1868	1879
Horses	21,563	22,272	24,593
Cattle	79,460	105,450	129,317
Sheep	1,504,393	1,569,809	1,835,670
Pigs	30,673	55,222	38,610

Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, paper 150, (1891), p 11.

Most new selections were now less than 100 acres. The small size of the selections suggests people were seeking somewhere to live in the regions, rather

than looking to establish economically viable farms. During this decade, the Lands Department ceased accepting cash for purchases under section 24 (selection). No new regulations were issued to this effect, but, according to evidence given to a parliamentary committee, Charles Bromby, the Attorney-General of the time, had given his opinion that cash could not be accepted for section 24 purchases. From that time, the Deputy-Commissioner for Crown Lands, Henry Jocelyn Hull, had only accepted credit purchasers.<sup>125</sup>

This decision had two consequences. First, selectors were forced to pay interest, (a nice bonus for the revenue), and second, they did not qualify for the franchise as property owners until they had completed their purchase. Was this a deliberate strategy to deny selectors the vote? It has not been possible to find any evidence to answer this as it applies to the 1870s, but the question of the relationship between property ownership and the franchise became an issue in the next decade and is discussed in Chapter Six.

With the trend away from growing crops in the 1870s, the total area under crop declined. In 1879, it increased over the previous year by 12,762 acres, bringing it back to the level of 1870-1.<sup>126</sup> Improvement in agriculture was uneven across regions and across the decade.

---

<sup>125</sup> 'The Crown Lands Bill, 1878: Report from the Select Committee, with Minutes of Meetings and Evidence', *JHA*, XXXV, paper 102, (1878), p 6.

<sup>126</sup> 'District Surveyors' Reports', *JHA*, XLI, paper 60, (1881), pp 4-7.

The relatively unchanged nature of the acreage in crop masks the restructuring that the rural sector was undergoing. Areas under wheat and hops had declined by the end of the decade, but the yields of barley, oats, and hay were the largest they had been for a decade.<sup>127</sup> These increased yields were partly the result of the move towards the use of machinery such as reapers and binders, and, although just over two-thirds of the wheat crop was still reaped by hand, the acreage harvested by machine had quadrupled during the seventies.<sup>128</sup> The area under cultivation increased by 37,000 acres.<sup>129</sup> This includes land in grass and land prepared but not yet planted. Although the district surveyors did not report this, the growth in oats, hay and grasses was probably a direct response to the growing human population, which required horses for work and transport. Pasture grasses alone are insufficient for working horses.

Robson reported an increase in acreage cultivated in the north-west and in the Huon in the seventies and eighties, but he considered a twenty year period.<sup>130</sup> This masks the decline that took place in these areas during the 1870s. An examination of this decline provides an answer to our question: Would men be content with the old subsistence way of life on the small farms once they could earn more money in the mining towns? In the north-west, settlement had been delayed around the Blythe River and Penguin Creek by the failure of the *Waste Lands Act 1863* to require occupation of selections. Several thousand acres had been selected under its provisions, but at the end of the seventies, there was no settlement and no

---

<sup>127</sup> 'Statistics of Tasmania 1879', paper 1, (1880), p xxii.

<sup>128</sup> 'Statistics of Tasmania 1879', paper 1, (1880), p xxiii.

<sup>129</sup> 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, paper 150, (1891), p 10.

<sup>130</sup> Robson, *A Short History*, p 40.

attempt at clearing.<sup>131</sup> Further west in the Table Cape district, the development of the mining industry had delayed selection and resulted in labour shortages. By the end of 1880, the district surveyor reported that most young men had left for the higher wages in the tin mines or to go prospecting on the West Coast.<sup>132</sup> The district surveyor for Franklin (around the Huon River) also complained that higher wages paid in the mining industry, and the possibility of a lucky strike, lured settlers away from their farms.<sup>133</sup> This is confirmed by Governor Weld's observation of the many abandoned homesteads north of Port Cygnet along the D'Entrecasteaux Channel.<sup>134</sup>

For the first time since the *Waste Lands Act 1858*, land in the old midlands districts had been selected, and the new selectors were growing crops, not running sheep. Monmouth had 274 new selectors, on 10,778 acres, while in each of the adjoining counties, Cumberland and Somerset, over 5,700 acres had been selected. Together, this represented over 20,000 acres of land coming into production. Prior to 1860 little or no agricultural produce had come from the Oatlands district, but now settlers were cultivating cereals and root crops there and around Tunnack.<sup>135</sup> The reason for this change is not far to seek; the Main Line railway from Hobart to Launceston served these districts, and once the lands were accessible, selectors moved in.

---

<sup>131</sup> 'District Surveyors' Reports', *JHA*, XXXV, paper 133, (1878), p 4.

<sup>132</sup> 'District Surveyors' Reports', paper 133, (1878), p 11.

<sup>133</sup> 'District Surveyors' Reports', paper 133, (1878), p 8.

<sup>134</sup> 'The Governor's Tour through the Huon District', *Cornwall Chronicle*, 23 April 1875, p 3.

<sup>135</sup> 'District Surveyors' Reports', paper 133, (1878), p 8.

Selection did not necessarily equate to settlement in Tasmania, but the district surveyors' reports show that by 1880, agricultural settlement was occurring in the north. In Devon, east of the Don River at The Nook, the new settlement had a flour mill and saw mill, a church, and a school under construction. There were new settlements at Sunnyside, east of the road to Kentish, and on the Kentish Plains.<sup>136</sup> In the north-east, there were agricultural settlements at Patersonia, Scottsdale, and Ringarooma, not far from the Waterhouse goldfields where two companies were mining.<sup>137</sup> The district surveyor for north-east Tasmania, John Brown, reported that any improvement in the roads stimulated demand for land in the Scottsdale district, even inferior land being selected so long as it was conveniently situated.<sup>138</sup>

By continuing to reject bills for public works, the Legislative Council had prevented the expenditure of much of the money allocated for new roads, but in spite of this, some work was done. One district where a large amount had been spent on roads was the old pastoral district of Oatlands. The amount is not confirmed, but members of a parliamentary select committee knew of the expenditure, which was confirmed by the Deputy-Commissioner for Crown Lands. The committee thought that, although the wishes of selectors were generally consulted in the matter of roads, the Minister for Lands and Works must have made the final decision in this case. The Minister responsible at the time was

---

<sup>136</sup> 'District Surveyors' Reports', paper 133, (1878), p 4.

<sup>137</sup> 'District Surveyors' Reports', paper 133, (1878), p 5.

<sup>138</sup> 'District Surveyors' Reports', paper 133, (1878), p 6.



William Moore.<sup>139</sup> At the time, Moore was the member for Wellington, in the north-west.<sup>140</sup> Although it is clear that the funding to the Oatlands district served the pastoral interests, it has not been possible to determine if Moore made the decision, or if this occurred simply through lack of ministerial scrutiny of the department's activities, which allowed someone else to divert the funds. Throughout his parliamentary career, Moore supported the construction of public works, believing these were connected to prosperity. He clearly did not support the view held by many parliamentarians that road funds should be expended in the old, settled districts first, because he was particularly active in gaining roads and bridges for north-west Tasmania.<sup>141</sup>

### **How did the small farmers live?**

Those at the Don River did well, with high wages and plenty of employment opportunities, while they worked on their land when they could. Even a sawmill hand could earn up to eight shillings a day; a man and his bullock team earned twelve shillings and sixpence; some foremen and managers earned up to £2 per day. The Company extended its tramline inland to Barrington, and it opened a new store there, and another at nearby Sheffield. Selectors along the tramway had transport for their timber and their produce. In the middle of the decade, Edwin

---

<sup>139</sup> 'The Crown Lands Bill, 1878: Report from the Select Committee, with Minutes of Meetings and Evidence,' *JHA*, XXXV, paper 102, (1878), p 6.

<sup>140</sup> Bennett, *Biographical Register*, pp 118-9.

<sup>141</sup> Grant Rootes, 'Regional Influences on Political Perspectives: William Moore and Colonial Tasmania, 1871-1909', BA (Hons) thesis, University of Tasmania, 2001, pp 31-3; Townsley, *From Colony to Statehood*, p 162.

Cummings retired to Victoria and the firm was restructured again to become John Henry and Company. Its diverse enterprises made the district prosperous.<sup>142</sup>

There were new settlers in the north. The Byard family, who immigrated in 1857, had saved enough to pay the survey fees and the deposit on a farm in the Deloraine hinterland, and paid their first instalment in 1871. The Byard farm comprised 100 acres of land and a hut, at Brookhill in the Chudleigh road district. Its rateable value was just £10. Unlike the early pioneers, the Byards were not travelling to unknown territory to take up their land. With children married, they had extended family networks in the region.<sup>143</sup> There were already established towns at nearby Deloraine, Westbury, Chudleigh and Caveside. The new Launceston and Western railway linking Deloraine to Launceston ran within seventeen miles of the farm. There were five road districts in the Deloraine municipality, and 258 persons listed on the roll just for the Chudleigh district.<sup>144</sup>

The Byards had lived and worked around the district for more than a decade before settling on their farm, so they had already built links with the community. They were close friends with neighbours, Mr and Mrs Thomas Cook. Clement, now the oldest son at home, with his father, often helped on the Cook's land, and

---

<sup>142</sup> Faye Gardam, *Sawdust, Sails and Sweat, a History of the River Don Settlement, North-West Coast, Tasmania*, (Port Sorell, Tas., 1996), pp 37-8.

<sup>143</sup> *LE*, 24 March 1866, p 4; Byard Family, 1871-1876, NS1126/1/2, unpagged, TAHO. The early diaries have entries by several family members. The dates on some entries indicate that they were written in any convenient space regardless of sequence, so there is no logical page numbering.

<sup>144</sup> Assessment Roll Rural Municipality of Deloraine 1871, *HTG*, 21 February 1871, p 247.

the two wives went shopping together in Deloraine and Mole Creek. In 1879, the families formed closer ties, when Clement married Susan Cook.<sup>145</sup>

While perhaps not as prosperous as the wage earners at the Don River, the Byards appear to have had sufficient capital to set up their farm at the outset. Their lives were therefore easier than those further west recounted by Stokes. The Byards had a roof over their heads, though the thatching apparently needed regular maintenance. Initially they grew wheat, oats, potatoes, grass, and sugar beet. They raised pigs for home consumption and for sale, and kept horses for farm work. They had enough dairy cows to be able to churn butter from October to April, and produced a surplus which they sold in nearby Chudleigh.<sup>146</sup> Dairying was seasonal prior to the introduction of modern reproductive technology in the industry, so there was no milk during the winter months when the cows were in calf.

The farm kept them busy with an endless round of seasonal tasks. Harvesting began in summer after New Year, with reaping and threshing the oats then wheat, cutting hay, and digging potatoes. Weeds were chipped from the crops with a hoe, and thistles and rushes cut out. In autumn when the rains started, wheat and oats were sown; there were young pigs to kill for meat. In winter, the rain and snow made outside work difficult, but cabbages were planted out and buildings were maintained. Unwary travellers, caught by unexpected snow or floods, sometimes stayed overnight until the roads were trafficable again, but at least they had roads.

---

<sup>145</sup> 'Clement Byard' Diary, 1873-1879, NS1126/1/5 to NS1126/1/11, unpagged, TAHO.

<sup>146</sup> 'Clement Byard' Diary, 1873-1876, NS1126/1/5 to NS1126/1/8, unpagged, TAHO.

Spring, always windy and wet, was the time for planting, peas and gooseberries in the garden, grass in the paddocks. Bees swarmed. Calves were born, and it was time to start making butter again. Horses had their foals, but prior to the introduction of antibiotics and tetanus vaccine, this was a risky business. The Byards lost a mare following foaling in 1876. This would have been an expensive loss, but a neighbour made them a gift of his 'Old Captain'. With the end of the year approaching, the kitchen garden was planted again, and the summer jobs, harvesting the grain and cutting the thistles, began all over again.<sup>147</sup>

Like many small farmers, the Byards aimed for self-sufficiency, but some items had to be purchased, necessities such as flour and sugar, blue for the laundry and lemon essence for the kitchen. These mostly came from the village of Chudleigh, but the Byard parents also made trips into Deloraine occasionally, in the horse and cart, and sometimes accompanied by the neighbours. In these early years, such farm surplus as they produced was usually sold in Chudleigh, where the boys were also able to sell the skins of possums they had trapped or shot. The men of the family sometimes worked for neighbours, reaping, splitting rails, fencing; threshing oats, and using the horse and dray to cart the neighbours' oats to the railway. Sometimes they were able to let out a paddock to a neighbour wanting agistment for stock, but frequently these debts were repaid in kind, not in cash.<sup>148</sup>

For recreation, Clement took his sisters for picnics along Mole Creek. He went out shooting wattle birds with his friends, but he also fished the Mersey River for

---

<sup>147</sup> 'Clement Byard' Diary, 1873-1879, NS1126/1/5 to NS1126/1/11, TAHO.

<sup>148</sup> 'Clement Byard' Diary, 1873-1879, NS1126/1/5 to NS1126/1/11, TAHO.

Tasmanian blackfish. These can grow to over five kilos.<sup>149</sup> Along with the eels in the local rivers, they would have been a useful item in the family diet.<sup>150</sup>

Community participation was important. As English immigrants, the Byards knew their rights and were not to be intimidated. At a public meeting, James Byard senior spoke against the railway rate, arguing that as tenants of the Crown they should not be taxed, and certainly those who were seventeen miles from the railway line should not be rated.<sup>151</sup> He had to fight for his right to be included on the municipal electoral roll for 1875, as a result of an error in the rolls.<sup>152</sup> James senior was also quite capable of defending his family against bullying by the local gentry. A landlord and tenant dispute arose between Henry Reed and the Byards. There was some difference of opinion about timber on a property leased from Reed, for which Clement Byard, then aged seventeen, had made a written promise to pay. At the same time, the £16 rent for the annual lease of an additional 1,000 acres from Reed was still waiting for collection. Reed attempted to settle the matter by calling on Clement, accompanied by a trooper. James, now a justice of the peace, took this as 'a gross insult to me', and reminded Reed that the money owing was just waiting for him to collect. Reed had a reputation as a churchman, and James reminded him 'We are poor, but Prov 14.31 has its consequences'.<sup>153</sup> James Byard was right to take action, in writing, on his son's behalf, because, that same year,

---

<sup>149</sup> Inland Fisheries Service, River Blackfish, <http://www.ifs.tas.gov.au/publications/fish-fact-sheets/river-blackfish>, accessed 13 February 2014.

<sup>150</sup> 'Clement Byard' Diary, 1876, NS1126/1/8, TAHO.

<sup>151</sup> *LE*, 6 January 1874, p 1.

<sup>152</sup> *LE*, 3 August 1875, p 3.

<sup>153</sup> Letter to H Reed from Moss Vale, Chudleigh, 11 May 1869, 'Byard Family', NS1126/1/4, TAHO; Proverbs 14:31 states 'He that oppreseth the poor reproacheth his Maker: but he that honoureth him hath mercy on the poor', Bible. Official King James Version Online, <http://www.kingjamesbibleonline.org/>, accessed 14 January 2014.

Reed did sell up other tenants who were unable to pay their rent. William Burke [Bourke], a tenant on the *Dunorlan Estate*, lost all his livestock, farming implements, stored grain, preserved pork and household furniture in this way.<sup>154</sup>

Life on a small farm in the Huon Valley in southern Tasmania was markedly different. In the early 1870s, there were still many vacant lots and small homesteads that had been abandoned when the timber market collapsed in the late 1850s.<sup>155</sup> Gradually new settlers moved in to the district, particularly in the Upper Huon, in the districts now known as Judbury and Ranelagh. Henry Dean, the son of William Dean of *Belmont*, had selected land in the Huon under the *Waste Lands Act 1858*.<sup>156</sup> In April 1876, he moved to the Upper Huon where he leased *Brookside*, a farm of one hundred acres from his brother Charles. His nearest neighbours were his sister Elizabeth and her family. Elizabeth had married George Green Sherwin, the brother of Isaac Sherwin for Bothwell. Another brother, Johnson Dean, had been in the district since the late 1850s. Henry's first farm diary was a present from his niece and neighbour, Amy Sherwin, and he began his entries early in 1876 when he and his family moved to *Brookside*.<sup>157</sup> These people were not desperately poor, as many selectors were, but William Dean had seventeen children, and those who did not stand to inherit *Belmont* at New Norfolk must make a life for themselves.

---

<sup>154</sup> *LE*, 6 September 1870, p 6.

<sup>155</sup> Valuation Roll, Franklin, *HTG*, 4 April, 1871, pp 506-15.

<sup>156</sup> 'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), pp 56-9

<sup>157</sup> Henry Dean's Diaries, 1876-7, private collection held by Claudia M Dean, Margate, Tasmania.

Although the district was heavily timbered, many farms were by now partly cleared. From the first week on the farm, Henry was able to grow a vegetable garden and fruit orchard, and, within months, his wife had planted a flower garden. The crops were different in the south. They grew hops at *Brookside*, selling some seventy bushels in their first year, and planting out over 1,300 new sets in their second year. They also cultivated cash crops of potatoes, parsnips, and carrots. Henry sold fourteen boxes of apples from the orchard in 1876, and planted out 200 apple seedlings in spring of the same year. Like modern farmers in the Derwent Valley, Henry set out turnips, onions and carrots for seed, and the following year had produced enough seed for sale. He also grew barley and oats, but not wheat. Since he made no mention of selling these, they were probably used to feed the animals. The Deans purchased flour and bread in Victoria.<sup>158</sup>

Henry had a flock of almost a hundred sheep, and, although he did shear some of them, they were mostly kept for meat. He also kept pigs and poultry, and horses for farm work, and they milked one cow. The farm at *Brookside* was too small for an enterprise of this size, so Henry also owned thirty acres with a dwelling and ninety-five acres of cultivation at nearby She Oak Hills. He leased almost another 1,500 acres of Crown land. The diaries record constant movements of sheep between the blocks.<sup>159</sup>

---

<sup>158</sup> Henry Dean's Diaries.

<sup>159</sup> Valuation Roll for the District of Franklin 1880, *HTG*, 18 November 1879, pp 1253-74; Henry Dean's Diaries.

The Deans were part of a busy farming community. The neighbours traded labour and lent tools. Henry killed pigs and sheep for the neighbours; they lent him splitting wedges for cutting trees into slabs, and a dray to carry home dressed building timber from the sawmill. Everyone helped move livestock and repair fences when the river flooded. Henry might start his summer days out in the fields at four in the morning, but often in the late afternoon, he and Clara, with the children, would walk down the road to take tea with the Sherwins. Scarcely a day passed without someone calling, and there were often visitors to dinner.<sup>160</sup>

Farming was still hard work, with all the family helping, even the children carrying stones for Henry to place beneath the fence line. However, life was somewhat easier in the Huon because the district by this time was well provided with water transport. Farmers who could raise a cash crop could send it out to markets in Hobart, and it was possible to travel all the way to New Norfolk on the steamer that called into Victoria (Huonville). The women and children frequently went into Victoria, but when Henry wanted to go into Hobart, he usually went alone, and often on foot. He did not follow the modern road through Kingborough, but walked over the hills and then down into Lenah Valley and New Town, where he stayed over for a couple of nights. If the children needed a doctor, that was easy too. Either they took the children in to Victoria, or Clara wrote to Dr Crowther, who then called with his horse and buggy.<sup>161</sup>

---

<sup>160</sup> Henry Dean's Diaries.

<sup>161</sup> Henry Dean's Diaries.



Although the Deans all worked hard, there is nothing in the diaries to suggest they faced any undue hardship. They were able to sell their produce, and provide for themselves with plenty to share amongst the large group of relatives and friends around them. When Henry wanted boots, he had them made to measure in Victoria (Huonville), and when he wanted timber for building the barn and the stables, he purchased it from the local saw mill. He used his own timber for fencing. In spite of this, the Deans left Huonville around 1880, and moved to a farm at Jericho, in the north-east.<sup>162</sup>

Not all selections had such a happy outcome. The Tasmanian government set no criteria by which they could judge the outcomes from their policies, so it is left to historians to decide the measure of success achieved. Geoffrey Stilwell thought the Castra scheme was successful because Andrew Crawford's promotional activities had attracted numbers of Anglo-Indian immigrants to northern Tasmania, where many made significant contributions to both Tasmania and Australia.<sup>163</sup> Judged as an agricultural area, where farms were established by immigrants from British India, the Castra scheme had failed outright. Although fifty-five selections had been made, these had not resulted in settlement and by late 1878 there were only two residents under the scheme.<sup>164</sup> The district was

---

<sup>162</sup> Henry Dean's Diaries.

<sup>163</sup> Geoffrey Stilwell, 'The Castra Scheme', in Gillian Winter, (ed), *Tasmanian Insights: Essays in Honour of Geoffrey Thomas Stilwell*, (Hobart, Tas., 1992), pp 23-7.

<sup>164</sup> 'Immigration ', *JHA*, XXXV, paper 67, (1878), pp 4-8.

opened to general selection but even then, locals were slow to take up land there, with only a few small lots occupied at the end of the seventies.<sup>165</sup>

Stilwell found several reasons why the Anglo-Indians did not settle at Castra. Firstly, potential purchasers had been discouraged by the negative publicity given to the scheme in the Indian press. Secondly, the Tasmanian government did not fulfil its obligations in terms of making a road into the district; intending purchasers had no access to their land. Thirdly, the Anglo-Indians themselves were unsuited to the primitive and demanding lifestyle of the bush pioneers. They were accustomed to a privileged position in society, where manual work was performed by servants, while they devoted their time to business and leisure.<sup>166</sup>

The Australian bush was a great leveller.

The agricultural area at Goulds Country had fared somewhat better. The district surveyor reported in 1879 that about 500 acres had been taken up, settled and partly reclaimed.<sup>167</sup> In 1876, the settlers there found themselves the centre of a rush for the new tin fields of north-east Tasmania. This is discussed in detail in Chapter Seven. Further out along the George's River another twenty lots had been selected in the late seventies, but settlers there had to travel about six miles to

---

<sup>165</sup> 'District Surveyors' Reports', *JHA*, XLI, paper 60, (1881), p 4.

<sup>166</sup> Stilwell, 'The Castra Scheme', pp 20-3.

<sup>167</sup> 'District Surveyors' Reports', *JHA*, XLI, paper 60, (1881), p 7.

obtain their supplies from Gould's Country along a track cut for pack horses. Most were waiting for the road to be made before building homes on their land.<sup>168</sup>

## Conclusion

The seventies had been characterised by unstable government, but the repeated attempts to change the taxation base and implement works programs indicated that a reform agenda was never far below the surface. In 1879, yet another political crisis threatened. The premier, W L Crowther, defeated by a no confidence vote initiated by W R Giblin, asked the Governor for the dissolution of parliament and an election. Governor Weld refused, and instead asked Giblin to form a new government.<sup>169</sup> The collective experience and wisdom of Governor Weld, Premier-elect W R Giblin, and politician J D Balfe, who helped broker the deal, gave Tasmania its first stable government.<sup>170</sup> It also gave Tasmania its first reform government.

Giblin included in his ministry members from the opposition, from both houses of parliament, and from electorates across the colony. He became Treasurer as well as Premier, and appointed William Moore, now MLC for the north-west electorate of Mersey, as Colonial Secretary. John Stokell Dodds, a lawyer new to parliament and MHA for East Hobart, became Attorney-General, and Christopher O'Reilly, MHA for Kingborough, returned as Minister for Lands and Works. John Wilson

---

<sup>168</sup> 'District Surveyors' Reports', paper 60, (1881), p 7.

<sup>169</sup> Robson, *A Short History*, pp 42-3.

<sup>170</sup> Stefan Petrow, 'The Bully of Tasmanian Politics: John Donnellan Balfe 1850-1880,' *THRA Papers and Proceedings* 46, no 3, (1999), pp 117-34.

Agnew, medical practitioner and newcomer to parliament as MLC for Hobart, had a seat in the Executive, without office.<sup>171</sup> There were no pastoralists and no farmers in the new ministry.

The seventies marked a transition which saw the beginning of modern Tasmania. The government had begun to invest in transport and communications, and new industries developed. The pastoral industry boomed again. The progress of agriculture was uneven, but the government's willingness to give credit relief to purchasers at the beginning of the decade helped keep small farmers on the land, although it did nothing to increase agricultural output. The Waste Lands Acts had facilitated the opening up of new communities, particularly in the north-west and north-east, where the new tin mines were developing. The new ministry proposed sweeping changes.

---

<sup>171</sup> Bennett, *Biographical Register*, pp 1, 47, 118-9, 129; 'Ministries', *JHA*, XXXVIII, (1880), unpagged.

## Chapter Six: Waste Lands, The Boom Years 1880-1889

The seventies set the stage for reform and in the eighties Tasmania finally said goodbye to its long eighteenth century. The Giblin ministry embarked on a program of legislative and social reform, but always in the face of opposition from conservative forces within the Legislative Council, and sometimes from within its own ranks.

This was a period of relative stability in politics. The Giblin ministry was succeeded in 1884 by the ministries of Adye Douglas, James Agnew, then Phillip Oakley Fysh, all pursuing a model for reform and development. In contrast to this, land affairs appear to have reached a stalemate. Two major land bills failed in the parliament, but almost every year saw the passage of a new Waste Lands Act. These acts often contained little more than half a dozen unrelated clauses. Immigration, which had been reconnected with land allocation by the *Immigration Act 1867*, was the subject of vigorous public debate and new legislation.

This chapter addresses the following questions. Were the frequent smaller Waste Lands Acts a sign that land matters were sinking into insignificance as the mining industry grew? The reform ministries were composed for the most part of lawyers and city men; was agriculture of less interest to them given their ambitious program for social reform? Or, with most of the useful land in private hands, and

farmers battling imported pests and diseases, was it just too hard? Is there any evidence to suggest that the franchise reform which occurred in the mid-eighties ignited a democratic land reform movement? Was life different for selectors in the eighties? In order to answer these questions, this chapter will first consider the economic and political background to the Waste Lands Acts of the eighties, and examine the debates around each act. It will also analyse the issues related to the new immigration act. It will then evaluate the results of these acts. It will conclude with an examination of settlement in two districts previously studied, the settlement on the Don River and the Byard family selection at Chudleigh.

### **Background to the Waste Lands Acts of the 1880s**

By 1880, the economic recovery was clearly established. Chapter Two showed that the value of exports had doubled during the seventies and by 1880, the balance of trade was positive. Immigration exceeded emigration for the first time in decades.

A major restructuring in industry was taking place, and for the first time another industry was challenging wool for dominance. It was not that the pastoral industry was underperforming; far from it. By 1880, wool exports were worth £542,244, but mining was worth more with the total value of exports at £543,391 in 1880.

Although the value of gold exported had risen from £14,218 to £201,655, the boom industry was tin mining.<sup>1</sup>

In agriculture, there was less progress than in any other area of endeavour in the colony. With other colonies now producing their own food, the export value of manufactured breadstuffs had sunk from £67,952 to an insignificant £15,628. In place of it, the fruit and jam industry was thriving, with the value of exports almost doubling across the decade to £132,674.<sup>2</sup>

Signs of prosperity were everywhere. Over one quarter of a million hardy souls ventured on the new railways in 1880, and over 108,000 telegrams were sent along almost one thousand miles of wire. The amount of coin and bullion in banks of issue more than doubled across the decade to £426,560, and deposits more than trebled to £2,106,300.<sup>3</sup>

All this translated into a better living conditions for many, but not all, workers. Wages for farm labourers had risen from between six to ten shillings per day in 1871 to between seven and eighteen shillings, but in the booming pastoral industry wages for shepherds and shearers were unchanged.<sup>4</sup> Tin miners received around £2 10s per week, plus the cost of their transport to the mines.<sup>5</sup> In these conditions, savings bank deposits rose by thirty per cent across the decade.

---

<sup>1</sup> E C Nowell, 'Progress of Tasmania, 1871-80', *JHA*, XLIII, paper 134, (1882), p 7.

<sup>2</sup> Nowell, 'Progress of Tasmania, 1871-80', pp 6-9.

<sup>3</sup> Nowell, 'Progress of Tasmania, 1871-80', p 8.

<sup>4</sup> Nowell, 'Progress of Tasmania, 1871-80', p 8.

<sup>5</sup> 'Wanted', *LE*, 27 August 1881, p 1, 10 September 1881, p 1.

Although numbers of mortgages on land had more than doubled during the seventies, people paid out more than four and a half times the number of mortgages in 1881 than they did in 1871.<sup>6</sup>

The booming economy resulted in a labour shortage in many areas. Mining and public works programs drew labour away from the traditional farming estates. Pastoralists and agriculturalists complained that there had been nothing like it since the days of the Victorian gold rush. Ebenezer Shoobridge of New Norfolk could not keep workers and domestic servants, although his estate held eighty-five cottages for farm labourers, each provided with a garden and accommodation for a cow, pig, or poultry. His estate had its own school, and his farm, growing hops and fruit, provided work for the wives and children, yet he claimed he could not obtain good labour.<sup>7</sup>

The large estates were not the only ones affected; the labour shortage hindered municipal development in some districts. John Lyne, owner of a large pastoral estate on the east coast and Warden for the Glamorgan municipality, was another one complaining of the shortage of labour. He reported that building had been in decline for many years because there were no brick makers or sawyers left in his district. The municipal council was unable to spend even the small amount of money allocated to it within the time specified in the regulations unless it doubled

---

<sup>6</sup> Nowell, 'Progress of Tasmania, 1871-80', p 9.

<sup>7</sup> 'Report of Select Committee on Immigration', *JHA*, XLIII Part 2, paper 105, (1882), p 6.



the wages for labourers. Even in the mining towns, there were shortages of skilled and unskilled labour, mechanics, artificers, and female servants.<sup>8</sup>

The reality was that the pastoral estates could not compete successfully against the mines for labour. A man on his own at the mines could earn as much or more in a week than a whole family on Shoobridge's farm. As for the benefit of a free cottage, the Mount Bischoff Tin Mining Company provided both married and single miners with comfortable cottages. In the nearby township of Waratah, there was a Board of Education School, night schools for children employed in the mines, and shops providing all necessities. There was plenty of employment for families. Youths from eighteen to twenty years of age earned thirty-six shillings per week in the dressing sheds, more than twice the amount earned by an adult on the estates of Shoobridge or Lyne. Wages for nurse girls were much the same in the mining towns as on the estates, with a girl from ten to fourteen years earning around £7 to £12 a year, but an adult female servant could earn up to £36 a year in Waratah with her keep, as opposed to £25 on John Lyne's estate.<sup>9</sup>

Land affairs too were undergoing a market driven restructure. The number of acres sold at auction fell dramatically, from 12,821 in 1871 to 3,567 in 1880, but this realised twice the revenue. The rise in the value of town lands was noted in the preceding chapter. This was reflected generally across all land sales, with the average price per acre rising from 7s 6¼d per acre to £1 6s 7d. In 1880, mineral

---

<sup>8</sup> 'Report of Select Committee on Immigration', paper 105, (1882), pp 6-7.

<sup>9</sup> Calculated from 'Report of Select Committee on Immigration', paper 105, (1882), pp 4-8.

leases contributed £6,119 to the revenue, not far behind pastoral leases at £8,833.<sup>10</sup>

Giblin's ministry was able to introduce a range of legislative reforms in the face of continued opposition from the Legislative Council. The previous chapter showed that this success was due in part to the broad support Giblin's coalition ministry attracted and to the recognition of the need for stability in government. It was also due to Giblin's political experience; Townsley credited Giblin with the ability to negotiate a path of compromise between the fears of the conservative forces in government and those who wanted change.<sup>11</sup> Giblin's endeavours were greatly helped by the gradual improvement in the economy. The revenue was secured with the introduction of the new property taxes, and the development of mining created new sources of revenue. This, in turn, led to improved credit for Tasmania on the London Stock Exchange and the government was able to borrow in order to undertake the long-overdue capital works projects.<sup>12</sup>

In 1881, Giblin handed Treasury over to J S Dodds (a barrister and MHA for East Hobart), and took over the position of Attorney-General in order to set in place an extensive program of legislative reform, especially in regard to real property,

---

<sup>10</sup> Nowell, 'Progress of Tasmania, 1871-80', pp 8-9.

<sup>11</sup> W A Townsley, *From Colony to Statehood 1803-1945*, (Hobart, 1991), p 164.

<sup>12</sup> Townsley, *From Colony to Statehood*, pp 164-6.

education and public health, Tasmania's oppressive master and servant act, and mining and company law.<sup>13</sup>

The Giblin ministry achieved some fiscal reform with the introduction of taxes on property and dividends, but its attempts to abolish the tax on meat, tea and sugar were unsuccessful. Townsley thought this failure increased social conflict, ultimately leading to the rise of the Trades and Labour Council and subsequent demands for electoral and constitutional reforms.<sup>14</sup> There certainly was more social conflict and more outspoken debate, as the following section will show, but these were necessary ingredients for social change, something long overdue in Tasmania.

The problems causing social conflict were bigger than the taxation issue. There was growing impatience in both the House of Assembly and the wider community with the stonewalling tactics adopted by the Legislative Council over any change. Early in 1880, a major proposal for public works, to be funded by debentures, was under discussion. The Minister for Lands and Works pointed out to the House that, compared with the other colonies, Tasmania had spent very little on works. Roads and bridges were needed to stimulate the declining agricultural sector and to open up new lands. The House supported the proposals, but the Legislative Council halved the amount for debentures, leaving only enough to meet debentures falling due in the next three years and to construct a bridge in an

---

<sup>13</sup> Townsley, *From Colony to Statehood*, p 165.

<sup>14</sup> Townsley, *From Colony to Statehood*, p 164.

already settled area over the South Esk River.<sup>15</sup> This left settlers in new districts without hope of gaining the roads they needed.

When the Legislative Council rejected the Branch Roads Construction Bill later in 1880, protests broke out across the country, particularly in the north, the area that should have benefitted. The district surveyor for Wellington in the north-west reported that the rejection of the bill was a 'most serious check' to sale of Crown lands, leading to the complete failure of selection in the vicinity of the Flowerdale River. On the other hand, following the completion of a road from Table Cape (north-west coast) to Detention (further inland), over 1,000 acres were selected and settled.<sup>16</sup>

A public meeting held near Leven, condemned the actions of 'the house of (land and sheep) lords'.<sup>17</sup> In December, a large meeting at Forth was addressed by the local MHA, Edward Braddon, who explained that both the House of Assembly and the Governor understood the need for the roads to open up new country and attract new settlers; the act had been defeated by the Legislative Council. Former MHA, farmer and surveyor, J R Scott, condemned the President of the Legislative Council (now T D Chapman), 'the bell wether of this scabby flock', as the only barrier to progress in the colony.<sup>18</sup> Both meetings sent petitions to Parliament. Twenty years earlier such meetings would have been unthinkable.

---

<sup>15</sup> *LE*, 4 March 1880, p 3.

<sup>16</sup> 'District Surveyors Reports', *JHA*, XLI, paper 60, (1881), pp 7-8.

<sup>17</sup> 'Abbotsham, near Leven', *Mercury*, 4 November 1880, p 3.

<sup>18</sup> 'River Forth', *Mercury*, 30 December 1880, p 3.

Townsley claimed that these years saw the emergence of a third class in Tasmanian society, a major part of which was the independent small farmers, 'the new men of the developing north-west, the north-east, and the Huon'.<sup>19</sup> For twenty years, Tasmanians had experienced economic hardship and depression, while the small farmers and their families struggled in isolated districts without adequate roads or services. Now, Tasmanians and immigrants together, they demonstrated a new-found confidence to voice their discontent, and yet many still did not have the franchise.

Along with the intense social change of the mid-eighties came the first real challenge to the pastoral-and-merchant dominance in the parliament, and with this, the first stirrings of a labour movement. There were new immigrants, coming to the mines, and settlers under *Immigration Act 1867*. There were not many of the latter, but one, Edward Braddon, who arrived in 1879 and settled on ninety acres in Devon, was to play an important part in Tasmanian parliament and in the federation of Australia.<sup>20</sup> At the same time, a new Tasmanian-born generation was making its mark. This included premier W R Giblin,<sup>21</sup> and Andrew Inglis Clarke, co-founder of the Southern Tasmanian Political Reform Association, which had

---

<sup>19</sup> Townsley, *From Colony to Statehood*, pp 149-50.

<sup>20</sup> 'Immigration', *JHA*, XXXV, paper 67, (1878), p 6; Scott Bennett, 'Braddon, Sir Edward Nicholas Coventry (1829-1904)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/braddon-sir-edward-nicholas-coventry-5330/text9007>, published in hardcopy 1979, accessed online 6 June 2013.

<sup>21</sup> S Bennett and B Bennett, *Biographical Register of the Tasmanian Parliament, 1851-1960*, (Canberra, 1980), p 66.

both liberal and radical members. In 1883, the Hobart branch of the Trades and Labour Council was formed, with the Launceston branch following in 1888.<sup>22</sup>

In 1885, the property qualification on the franchise in both houses was lowered, allowing a vote in the House of Assembly to all ratepayers and men who earned £80 a year.<sup>23</sup> Unlike Victoria and New South Wales, Tasmania did not have universal manhood suffrage until federation, and the Legislative Council fought every attempt at reform.<sup>24</sup> The franchise reform of the eighties gave the vote to the miners, on their £2 10s per week, provided they worked more than thirty-three weeks in the year.<sup>25</sup> Rural workers on the estates, who, although they had a roof over their heads and weekly rations, could not earn £1 per week, and were disenfranchised. Against this background, the Giblin government framed its Waste Lands Acts.

### ***The Waste Lands Act 1880 and amendments***

Early in 1880, a Waste Lands Bill was before parliament. It was passed in the House, but the Legislative Council objected to any changes, claiming the existing legislation had worked well for the last ten years.<sup>26</sup> After they had finished deleting and amending the proposed bill, the government was left with just seven clauses for the new act.

---

<sup>22</sup> Townsley, *From Colony to Statehood*, pp 149-50.

<sup>23</sup> L L Robson, *A Short History of Tasmania*, 2nd ed, M Roe, (ed), (Melbourne, 1997), p 43.

<sup>24</sup> Townsley, *From Colony to Statehood*, p 1.

<sup>25</sup> Miners did not always have full employment because tin mining was reliant on water. Until the construction of dams ensured a regular water supply, the mines were subject to closures in very dry or very wet weather. *LE*, 16 August 1884, p 3.

<sup>26</sup> *LE*, 18 February 1880, p 3, 27 February 1880, p 3; 6 March 1880, p 3.

The *Waste Lands Act 1880* did not repeal the *Waste Lands Act 1870*; instead, it made a number of provisions which were to be read and construed with the existing act.<sup>27</sup> In an attempt to encourage further settlement at Tasman's Peninsula, previously opened to land sales at auction, that district was now to be opened for selection and purchase by private contract, under the conditions of *Waste Lands Act 1870*, s 24 (maximum 320 acres, same credit terms). Rather than open the whole area at once, the government would, from time to time, specify areas as open for selection. The provisions for allocating one half of the purchase money from a district for road making were to apply. Any land that had been offered for auction and failed to sell was to be available for purchase at the upset price.<sup>28</sup>

The Giblin ministry was also creating a new identity for Tasmania, making a break with the old Van Diemonian past. It had already changed the name of Hobart Town, to Hobart. The new municipal district of Carnarvon was created on Tasman's Peninsula, and assessors were appointed to compile the valuation roll.<sup>29</sup> The penal history of Tasman's Peninsula was on its way to being forgotten, at least temporarily. Within twelve months there were some 250 residents and thirty-seven selections. Twenty-five of these were less than fifty acres; the rest were between 100 to 315 acres. The problem on the Peninsula was that the new farmers would have to rely on water transport to send produce to market, so it is not

---

<sup>27</sup> 43 Vict no 16.

<sup>28</sup> *Waste Lands Act 1880*, ss 1-3.

<sup>29</sup> *Carnarvon Municipal District Act*, 43 Vict no 15, ss 1-3.

surprising to find that numbers of intending selectors had refused to take up blocks behind those already surveyed and shut off from the water.<sup>30</sup>

As the government became more interested in road building and was able to borrow large sums for construction schemes, it increasingly came into conflict with the local road trusts, which wanted a larger share of the public money. In the Legislative Council, T D Chapman favoured allocating the entire share from land sales to the local trusts.<sup>31</sup> This is not surprising, given the strong identification of the local road trusts with Tasmania's gentry. Rootes showed that, although there were attempts in the sixties and seventies to establish road trusts in some of the forest fringe settlements, for the most part the road trusts were closely connected with the districts occupied by the gentry.<sup>32</sup> This is supported by Reynolds, who argued that the gentry preferred local control rather than central control because local control gave them power, whereas centralised control reminded them of the convict era.<sup>33</sup> In practical terms, funding allocated to the local road trusts would not have been subject to the same public scrutiny that applied to parliamentary expenditure, where every debate and decision was reported in the press. Of course, the gentry preferred local control.

The Giblin government had to find compromises that would satisfy the road trusts and the Legislative Council while allowing its developmental projects to go

---

<sup>30</sup> 'District Surveyors Reports', *JHA*, XLI, paper 60, (1881), p 3.

<sup>31</sup> *LE*, 27 February 1880, p 3.

<sup>32</sup> Grant Rootes, 'A Chaotic State of Affairs: The Permissive System of Local Government in Rural Tasmania 1840-1907', PhD thesis, University of Tasmania, 2008, p 14.

<sup>33</sup> Henry Reynolds, 'Regionalism in Nineteenth Century Tasmania', *THRA Papers and Proceedings*, 17, no 1 (1969), pp 14-28.



ahead. To do this, it proposed to spend one half of the proceeds from land selection on the district in which the sales occurred, and allocate one fourth of other sales to the road trusts. This was provided for in the *Waste Lands Act 1880*. It also attempted to make the road trusts more efficient, requiring them to complete their returns in a timely manner, and excluding those who did not comply from the distribution of funds.<sup>34</sup> At the same time, the *Carnarvon Municipal District Act* prevented the Treasurer from paying, to the trustees of any road district, 'any greater sum than that set apart under the provisions of the ninety-ninth section of the *Waste Lands Act*'.<sup>35</sup> This was designed as security over public expenditure in the event of large sums, particularly those obtained from loans, being allocated to works.<sup>36</sup> There was need for these precautions. The select committee that prepared the failed *Waste Lands Act* of 1878 had found evidence that, under a former Treasurer, significant overpayments had been made to the Oatlands road trust, the centre of the pastoral districts.<sup>37</sup>

This act became law in March 1880, but, as the mining industry developed, it became clear to many in government and the community that the present land legislation and regulations may be slowing development and preventing the government from optimising revenue from land sales. The next *Waste Lands Act* was driven primarily, not by a debate about selection and attracting immigrants to

---

<sup>34</sup> *Waste Lands Act 1880*, s 5.

<sup>35</sup> 43 Vict no 15, s 4.

<sup>36</sup> *LE*, 4 March 1880, p 3.

<sup>37</sup> 'The Crown Lands Bill, 1878: Report from the Select Committee, with Minutes of Meetings and Evidence', *JHA*, XXXV, paper 102, (1878), pp 9-10. The Report did not name the Treasurer involved, but the previous chapter found that this happened when William Moore was Minister for Lands and Works. It has not been possible to establish an exact date for these transactions, so we can only say that the Treasurer was either P O Fysh or T D Chapman.

the land, but by the needs of the mining industry and the opportunity for government to maximise its land revenue in the new economic climate.

From the introduction of the first Waste Lands Acts, it had been the practice of successive ministries to withdraw from sale or selection any lands that might be located near mineral deposits or thought to contain gold or minerals. This policy was unpopular with the public and in the press, which claimed this delayed both genuine settlement and mineral exploration. For example, when land in the Fingal district, previously withdrawn from selection, was offered for sale in 1862, three lots were taken up in the first week.<sup>38</sup> Land in Dorset, near Branxholm on the west bank of the Ringarooma River, had been withdrawn from selection in the late sixties.<sup>39</sup> In 1879, all lands between St Patrick's and the North Esk Rivers, in the county of Dorset, were withdrawn from selection. The *Cornwall Chronicle* argued that ministers of the Crown should be glad that agricultural selectors wanted to settle near the mining settlements.<sup>40</sup>

A decade earlier, Robert Crawford had advised the government that this practice should be reviewed because it was possible to farm the land suited to agriculture until it was required for mining.<sup>41</sup> His advice was not taken, and by the 1880s, substantial areas had been withdrawn from selection. The government was clearly unprepared for the rapidity with which mining settlements developed in Tasmania

---

<sup>38</sup> *Mercury*, 27 November 1862, p 2, 24 December 1862, p 4.

<sup>39</sup> *Cornwall Chronicle*, 29 June 1870, p 4.

<sup>40</sup> *Cornwall Chronicle*, 13 May 1879, p 2.

<sup>41</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, (1869), p 69.

and had failed to realise that, as a result of its practices, it was losing revenue, and miners were unable to make homes near their workplaces, being limited to an occupation licence for residence on a block of land in a mining district.

To address this issue, and to exploit demand for land in districts that had the wherewithal to pay, the government intended to open up lands in the vicinity of the mines for sale at auction, in small lots and at high prices. The original plan had limited the maximum size of these to fifty acres, but this was revised down in a select committee to thirty acres.<sup>42</sup> The *Waste Lands Act 1881* made it possible for government to reverse any proclamations withdrawing land from sale or lease, and to offer land for auction under the proposed terms.<sup>43</sup>

Associated with this issue was the problem of what to do if such land that had been sold was subsequently discovered to hold minerals. The *Waste Lands Act 1870* had proved to be ineffective in providing a practical way to resume alienated land for mining purposes or to allow prospecting to be carried out on it. The new act proposed that, at any time within five years of the sale, land could be resumed for mining if it was proved to contain minerals.<sup>44</sup> This was passed, and in the event of such resumption, landowners were to be compensated by a process of arbitration through the courts. The owner did not cease to own the land; as soon as

---

<sup>42</sup> *LE*, 1 October 1880, p 2.

<sup>43</sup> 45 Vict no 5; *Waste Lands Act 1881*, ss 2, 9-18.

<sup>44</sup> *LE*, 1 October 1880, p 2.

mining operations ceased, the owner was again permitted to enter into occupation.<sup>45</sup>

The intention was to facilitate mining, yet guarantee the property rights of the original landholder. In today's world of vast open-cut mines, this proposal seems ludicrous, but even in the 1880s, a visit to Ballarat or Bendigo could have revealed the environmental damage resulting from mining and the subsequent unfitness of the land and waterways for agricultural pursuits. Familiarity with mining operations elsewhere should have caused parliamentarians or members of the public to question this provision. It was not questioned in parliament, by the public, or in the press; the *Launceston Examiner* even approved it.<sup>46</sup> Fortunately, most of new tin mines were located in previously unoccupied land, like Mount Bischoff in the north-west, or Brothers' Home at Krushka's Bridge in the north-east.

The weak property rights available to agriculturalists in mining districts and the limited opportunities to select farms in those regions suggest that, as far as the legislators were concerned, agriculture occupied a poor third place after pastoralism and mining. The pastoral industry took care not to suffer the same fate. At the same time that the *Waste Lands Act 1881* was under discussion, an attempt was made, under the *Goldfields Regulations Bill*, to allow miners to

---

<sup>45</sup> *Waste Lands Act 1881*, ss 19-23.

<sup>46</sup> *LE*, 1 October 1880, p 2.

access pastoral leases in order to graze cattle, or obtain wood and water. Pastoral opposition in the House of Assembly forced this to be postponed.<sup>47</sup>

Although all previous governments had hoped that their Waste Lands Acts would result in the growth of vibrant farming communities, they had made very little provision for this eventuality. They had surveyed blocks for sale at auction and begrudgingly marked out tracks and provided some roads, but no thought had been given to providing clean water supplies. The Giblin government recognised the growth in the new towns, and, coupled with its program of health reform, made provision in the *Waste Lands Act 1881* for land to be reserved for the construction of works for water supply to towns and districts.<sup>48</sup>

The development of agriculture still lagged, and, although small farms were established along the Main Line railway in the late seventies, by 1883, many of these in the Fingal and Derwent Valleys had been bought out by a small number of large landholders who had converted them to sheepwalks. A committee investigating proposals for new railway lines looked at the question of whether more railways would stimulate agriculture, and attributed the take-over of small farms to the lack of markets for grain, and the fact that fattening stock was more profitable and required less time, anxiety, and labour than agriculture. The committee, chaired by wealthy timber merchant and Colonial Secretary, William Moore, was puzzled by the perennial problem of finding profitable markets for

---

<sup>47</sup> *Mercury*, 2 October 1880, p 3.

<sup>48</sup> *Waste Lands Act 1888*, ss 3-4.

Tasmanian produce. In the 1880s, Tasmania still produced enough wheat and barley for its own needs, as well as a surplus of oats, for which it could not find a market because New Zealand supplied the other colonies. Barley always paid poorly and was more difficult to grow, and, with wheat costing 4s 6d per bushel to produce, it was not even profitable in the London market.<sup>49</sup> The committee had no solutions.

In 1882, the government reviewed the immigration regulations. A select committee identified labour shortages in many industries and regional districts, but did not call on any industry representatives from the two major urban centres, Hobart and Launceston. It found that the Board of Immigration, through lack of funding, had taken no steps to redress the labour shortages in the mines. Although the committee supported offering land as an incentive to immigrants, it found that many labourers and miners, the people presently needed in Tasmania, did not have the funds to pay their own passage. Accordingly, it recommended that funding be increased for assisted immigration. It also recommended that unassisted immigrants should be entitled to a refund of their fares, at the rate of one half after three years residence, and a full refund after five years residence.<sup>50</sup>

While the Ministry was not prepared to pay full fares to assist immigrants, it was prepared to allocate £10,000 annually for the next three years and to pay £5

---

<sup>49</sup> 'Report of the Railway Enquiry Board: Branch Lines', *TJPP*, XXXV, paper 64, (1883), p 3.

<sup>50</sup> 'Immigration: Report from Select Committee, with Minutes of Proceedings, Evidence, and Appendices', *JHA*, XLIII Part 2, paper 105, (1882), pp 4-15.

towards every £15 fare. In addition to assisting immigration for specific industries, it also proposed to allow residents to purchase the subsidised tickets to introduce their relatives.<sup>51</sup> The act created a new Board of Immigration with seven commissioners, to include the Chief Secretary (William Moore), the Treasurer (lawyer J S Dodds), the former Minister for Lands and Works, Henry Butler, and Hobart merchant, P O Fysh. It gave the Board power to make regulations, and it allocated the money as planned. Immigrants under the new scheme were not entitled to land grants.<sup>52</sup>

The new Immigration Board conducted its business in an open and accountable manner, publishing the minutes of its fortnightly meetings in the press, along with the results of any returns it called for. This turned out to be a good strategy, because the act had an immediate impact on immigration, which in turn resulted in vigorous public debate. Crowley has noted that these new regulations were more attractive to migrants, and immigration to Tasmania revived from 1883 to 1885.<sup>53</sup> Within the first eighteen months of operation, the Board of Immigration was well on the way to spending the whole of the funding allocated for three years.<sup>54</sup> From the beginning of August 1883 to the end of June 1884, 1,098 immigrants arrived, of whom 824 were adults. Within a short time, twenty-one of these had further nominated and taken out passage certificates for another sixty-

---

<sup>51</sup> 'Parliament of Tasmania', *Mercury*, 7 October 1882, p 3.

<sup>52</sup> 46 Vict No 40.

<sup>53</sup> F K Crowley, 'Immigration into Tasmania from the United Kingdom, 1860-1919', *THRA Papers and Proceedings*, 3, no 6, p 105.

<sup>54</sup> 'Immigration Board', *Mercury*, 21 May, 1884, p 3.

seven adults, their relatives and friends.<sup>55</sup> The real issue that had delayed immigration to Tasmania was, as the select committee had found, those who wished to immigrate did not have the fare.

Local workers found the sudden arrival of large numbers of immigrants threatening, and, now having an organisation to represent them, sent a delegation from the Trades and Labour Council to meet with the Immigration Board. The delegation complained that there were already men out of work in Launceston and Hobart, and the arrival of immigrants would lower wages, which were barely sufficient for a man to support a family. There was some argument between Board members and the delegation about the real scarcity of labour, but P O Fysh resolved the issue by pointing out that the Board had asked its agents to send only farm labourers and domestic servants.<sup>56</sup>

While this may have satisfied the Trades and Labour Council, which represented the skilled trades, it ignited a new debate about the conditions under which farm labourers worked. A correspondent to the *Mercury* asked, ‘Why should farm labourers be chosen as victims of class legislation?’ He went on to point out that most only earned ten to fifteen shillings a week and that the cottages supplied to them were not weather-proof and lacked ‘appliances for personal cleanliness’. All classes were entitled to share the new prosperity, and the low wages paid on farms

---

<sup>55</sup> ‘Immigration Board’, *Mercury*, 18 July, 1884, p 3.

<sup>56</sup> ‘Immigration Board’, *Mercury*, 18 July 1884, p 3.



were the result of poor farming methods used in Tasmania.<sup>57</sup> Another writer confirmed the value of the wages for farm workers, and placed the value of a hut and rations at only eight or nine shillings per week. He wondered how the ‘agitators for cheap labour’ would make ends meet on such an income.<sup>58</sup> In the north, people were more concerned with the ease with which farm labourers could be dismissed, and with the issue that they would still be disenfranchised under the proposed franchise reform because of their low wages.<sup>59</sup>

Immigration looked like becoming an election issue, at least for hopeful voters under the proposed franchise reform. A public meeting on manhood suffrage at Gladstone, one of the new mining towns in the north-east, was asked:

Do you think if you had votes you would return members who would waste your money on immigration, a law which brings competitors to your own people, and has the effect of compelling Tasmanians to seek employment in other colonies?<sup>60</sup>

Some of this angst penetrated into the parliament. In September 1884, the ministry proposed to amend the immigration act in order to redress some inequities that had occurred associated with the land grants for fare-paying immigrants. A long debate followed, in which many members expressed their dissatisfaction with the operation of the present scheme, although this was not the subject of the amendment. To the historian evaluating the scheme, it appears to have been the first successful immigration strategy in years. Crowley, who studied immigration

---

<sup>57</sup> S J, ‘Immigration’, *Mercury*, 29 July 1884, p 3.

<sup>58</sup> G J, ‘Immigration’, *Mercury*, 27 August 1884, p 3.

<sup>59</sup> E Stephens, ‘Taxation and Immigration’, *LE*, 1 September 1884, p 3; ‘Echoes from the House’, *LE*, 12 July 1884, p 3.

<sup>60</sup> ‘Gladstone: Manhood Suffrage’, *LE*, 27 August 1884, p 3.

from the United Kingdom to Tasmania, had no doubt about it.<sup>61</sup> When the numbers of German immigrants from the ten ships arriving in Hobart or via Melbourne are added to those of the United Kingdom, the results appeared most satisfactory.<sup>62</sup>

Members in the House disagreed. James Gray, the member for Sorell, claimed that ‘the lame, the blind, the deaf and the incurable’ had been brought out at public expense. Dr Crowther, John Lyne, Alfred Pillinger, and Henry Lette all opposed giving any land to immigrants while native youth were ‘forced abroad’.<sup>63</sup> The old prejudices and the old class distinctions lived on. Dr Crowther wanted land for ‘natives’ or Tasmanians born of European descent. He still objected to giving land to servants, which in Tasmania meant former convicts. One wonders how some of his parliamentary colleagues felt; James Gray, for instance, who had been convicted for subornation of perjury, or Alfred Pillinger, descended from a Norfolk Island convict.<sup>64</sup> Of course, nobody mentioned this.

In October 1884, the House proposed amendments to the immigration bill, the main purpose of which was to redress inequities arising from the land grants to immigrants under the *Immigration Act 1867*. The parliament had dealt with numbers of these, cases such as that of Mrs Browning, who had received a land

---

<sup>61</sup> Crowley, ‘Immigration into Tasmania’, p 105.

<sup>62</sup> Marita Hargraves, *Inducements and Agents: German, Northern European and Scandinavian Recruitment to Tasmania 1855-1887*, (Sandy Bay, Tas., 2003), pp 76-7.

<sup>63</sup> ‘Parliament’, *LE*, 25 September, 1884, p 3.

<sup>64</sup> Bennett, *Biographical Register*, p 71; Alison Alexander, *Tasmania's Convicts: How Felons Built a Free Society*, (Crow's Nest, NSW, 2010), pp 183-4.

order but failed to select her land before she died. The House of Assembly always tried to keep faith with these people, ensuring they or their heirs received land as promised, and the House now proposed a legislative solution.<sup>65</sup> Predictably, the Legislative Council contained a number of members strongly opposed to immigration, and it amended the act, removing the key clause. The House refused to accept this, and a year later was still trying to get the bill through the Legislative Council.<sup>66</sup> In December 1885, an amending act was passed, but this did not include the controversial clause. It merely allocated £5,000 for immigration, over half of which was to cover the cost of fares for immigrants introduced by the Bangor Slate Quarry during the year.<sup>67</sup>

In 1885, the Board of Immigration was suspended, along with the issue of land certificates, and immigration was placed under the responsibility of the Chief Secretary. Coghlan found this was less about the immigration debate and more about the fact that Tasmania's economy was slowing. There was unemployment in some trades; there were problems with public finances; and the flow of people into the colony slowed between 1884 and 1886. Immigrant numbers fell through the rest of the decade, and the last assisted immigrant arrived in 1892.<sup>68</sup>

---

<sup>65</sup> 'House of Assembly', *Mercury*, 21 September 1881, p 4.

<sup>66</sup> 'House of Assembly', *Mercury*, 5 November 1884, p 3; 'Parliament of Tasmania,' *Mercury* 24 September 1885, p 3; 25 September, 1885, p 2.

<sup>67</sup> *An Act to Amend the Immigration Act 1855*, 49 Vict no 32.

<sup>68</sup> T A Coghlan, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901, Vol III*, (Melbourne, 1969, first published 1918), p 1329.

The Giblin ministry proposed a number of reforms to the franchise. These included lowering the franchise in both houses of parliament, but not the introduction of manhood suffrage; votes for women who owned property; electoral distribution; and reform of the municipal elections. The key area of interest in this research is the relationship between land and the franchise in Tasmania, so the debates in parliament and in the press were examined in order to discover if the lowering of the franchise stimulated a democratic land reform agenda, as it had done in Victoria and New South Wales thirty years earlier. A problem immediately arises because the only daily papers still running were the *Mercury* and the *Launceston Examiner*, both conservative, and both opposed to universal manhood suffrage.<sup>69</sup> There is no way of knowing to what extent they censored letters and articles in the early years of the debate, or to what extent they solicited contributions that would support their editorial policies.

Early in the eighties, a new paper emerged in the north-west, and, since this was one of the new districts, it would be reasonable to expect that it might be interested in reform issues. The *Devon Herald* presented itself as a local paper representing agricultural interests. It lobbied for better communications infrastructure in the district, supported the educational reforms of the Giblin ministry, and reported regularly on the lives of the British royal family, but it avoided controversial colonial issues such as the franchise.<sup>70</sup> At the height of the franchise debate, it did report that Tasmania was behind Australia in ‘the apathy

---

<sup>69</sup> *Mercury*, 21 January 1885, p 2; *LE*, 18 August 1884, p 3.

<sup>70</sup> *Devon Herald*, 30 May 1884, 14 August 1885, unpagged.

and indifference of our people to with regard to their electoral privileges' but this article was about voting in the municipal elections, not the state franchise.<sup>71</sup> It deplored the return to voting by a show of hands in municipal elections, seeing this as 'a long-buried relic of barbarism'.<sup>72</sup> Throughout the eighties, it made no comment on the Tasmanian franchise, and published no letters about universal manhood suffrage.

This thesis has demonstrated that, from the time the Tasmanian constitution was written, the gentry and the parliament that represented them were afraid of democracy. They looked to Victoria with horror. A decade earlier, the *Cornwall Chronicle*, the paper most likely to support the workers, summed up the Tasmanian attitude:

As a rule, however, our legislative men generally oppose too liberal a franchise, and it may be with some reason. Victoria is a bugbear to the denizens of this gentle isle; and however radical in their opinions many Tasmanians may seem, there are few prepared to support the introduction of manhood suffrage, with all its attendant corruption and turmoil.<sup>73</sup>

By the eighties, there was a strong movement supporting universal manhood suffrage, which generally objected to the Giblin proposals because they did not go far enough. The key player in this movement was the Hobart Trades and Labour Council which ran meetings in Hobart and a number of northern centres. The *Mercury* portrayed a Hobart meeting as enthusiastic; the Town Hall was crowded; the people loudly cheered the chairman, the Mayor (Alderman Belbin), and the

---

<sup>71</sup> *Devon Herald*, 8 May 1885, unpagged.

<sup>72</sup> *Devon Herald*, 21 July 1885, unpagged.

<sup>73</sup> *Cornwall Chronicle*, 5 February 1870, p 1.

meeting supported manhood suffrage.<sup>74</sup> Launceston was more conservative. Trades and Labour Council representative, R D Holroyd, remarked that the people of Launceston were 'so far behind Hobart' in the matter of manhood suffrage. Nonetheless, there was strong support from the crowd at the Launceston meeting over the issue of votes for the miners at Beaconsfield and Waratah, and the meeting sent resolutions recommending universal suffrage to local members.<sup>75</sup>

The main arguments used by those supporting manhood suffrage were related to the economy, education, taxation and comparability between states. Tasmania's poor economic performance, compared to the rest of Australia, was put down to the lack of manhood suffrage.<sup>76</sup> Not surprisingly, given the recent introduction of property and income tax, it was argued that any man who had to pay taxes and obey the law should have the vote.<sup>77</sup> Some writers observed that, if the agricultural labourers in England were now thought to be sufficiently well educated to vote, what was wrong in Tasmania? Were working people and farm labourers less intelligent in Tasmania?<sup>78</sup>

Early in September 1884, the *Mercury* closed down the debate on the franchise, announcing that it had other demands on its space.<sup>79</sup> It was still obliged to print the proceedings of parliament, which could not disguise the fact that members of

---

<sup>74</sup> 'Town Hall Public Meeting', *Mercury*, 5 July 1884, p3.

<sup>75</sup> 'Manhood Suffrage', *LE*, 18 August 1884, p 3.

<sup>76</sup> *LE*, 1 July, 1884, p 3, 18 July 1884, p 3, 18 August, 1884, p 3.

<sup>77</sup> *Mercury*, 19 July 1884, p 1.

<sup>78</sup> *LE*, 1 July 1884, p 3, 18 July 1884, p 3; *Mercury* 19 July, 1884, p 1, 19 August 1884, p 3.

<sup>79</sup> *Mercury*, 8 September 1884, p 3.

both houses opposed manhood suffrage. It was the old Tasmanian fear of democracy again, and the conservative fear of the workers. Even Premier Giblin, with his social justice agenda, thought it was undesirable to throw the entire power into the hands of one class.<sup>80</sup> James Scott claimed manhood suffrage would mean that the navvies on the proposed railways would swamp the elections. Captain Audley Coote, MHA for George Town, hoped manhood suffrage would never become law in Tasmania, and Henry Rooke, MHA for Deloraine, threatened to resign if it did.<sup>81</sup>

This means Tasmania was quite out of step with political developments in the other Australian colonies. Reynolds offered an explanation for this. He demonstrated that the Tasmanian conservatives feared waves of men coming from the other Australian colonies, not the ageing emancipists.<sup>82</sup> In this climate, the Legislative Council had nothing to fear, and so Tasmania failed once more to gain manhood suffrage. Thirty years after the first Waste Lands Act, there was still no democratic land movement in Tasmania, but in Tasmania land still meant the franchise. Although the electoral reforms of the 1880s increased the number of electors for the House of Assembly by 10,000, this still meant only sixty per cent of adult males were eligible.<sup>83</sup>

---

<sup>80</sup> *LE*, 31 July 1884, p 3.

<sup>81</sup> *LE*, 1 August, 1884, p 3.

<sup>82</sup> Henry Reynolds, *A History of Tasmania*, (Melbourne, 2012), pp 204-5.

<sup>83</sup> Calculated from 'Statistics of Tasmania 1890', *TJPP*, XXIV, paper 150, (1891), pp 91-4.

Tasmania still had plural voting. Robson showed that even in 1895, 1,553 voters for the House of Assembly held 3,853 votes between them.<sup>84</sup> Land ownership was even more important in municipal elections. A correspondent to the *Mercury* claimed that two families between them had one hundred and fifty votes at an election, while the principle that absenteeism doubled the value of a property for voting purposes led to the landowners putting their sons nominally in charge of farms in order to accumulate a large family voting bloc. The writer complained:

...such an absurd and unjust system of electing municipal councillors is tyrannical in the extreme, that this enables half a dozen of our squatters (sometimes less) to reign and rule as they think fit over their poorer neighbours.<sup>85</sup>

There is some evidence that the franchise was jealously guarded in Tasmania, and effectively excluded selectors. In 1871, the Goulds Country selectors had been included on the Fingal assessment roll as landowners. The Municipal Warden, R Carter, objected on the grounds that ‘under the Waste Lands Act, the Queen was the owner’, but was asked to prove to the Court of General sessions that Goulds Country selectors were not the landowners. Carter stated that his object was ‘to prevent persons enjoying the franchise when they had not the required qualification’ and he produced a letter from the Minister for Lands and Works, dated 26 April, stating that the Queen was the owner of the selections. The court pointed out to him that they could since have paid for their land. The justices were

---

<sup>84</sup> Lloyd Robson, *A History of Tasmania: Volume 2 Colony and State from 1856 to the 1980s*, (Melbourne, 1991), pp 114-5.

<sup>85</sup> ‘Agitators to the Rescue’, *Mercury*, 4 August 1884, p 3.



equally divided on the question, which was settled for Carter by the vote of the chairman. The selectors of Goulds Country were not to vote.<sup>86</sup>

As if that were not enough, a system of electoral bullying took place in Tasmania, in which influential people, including employers, persuaded voters to sign 'requisitions' promising to support a particular candidate. They then insisted that signatories were bound to this vote. Labourers and tenants were particularly vulnerable. At a meeting of electors in Campbell Town, Adye Douglas, former premier and now MLC for South Esk, assured the meeting that such requisitions meant nothing and a man should vote only according to his conscience.<sup>87</sup>

In 1884, Giblin resigned due to ill-health, and Adye Douglas became premier. Townsley thought the ministries of Douglas and Agnew, which followed that of Giblin, were essentially a continuation of the same ministry.<sup>88</sup> There were, however, a number of changes in parliament that were to have a significant impact on the land debate and on the Waste Lands Acts between 1882 and 1884.

During the eighties a conflict emerged in parliament between pastoral interests and the advocates of selection. The previous chapters have shown that, in Tasmania, there was always competition for land between pastoralists and

---

<sup>86</sup> *LE*, 15 May 1871, p 1.

<sup>87</sup> *Mercury*, 25 April 1889, p 3.

<sup>88</sup> Townsley, *From Colony to Statehood*, pp 164-6.

selectors, and an uneasy tension in the parliament between the pastoral interests and the 'improvers', such as John Davies and J D Balfe. A generational change in this conflict occurred in the eighties. Davies was long gone, and under his sons' management, the *Mercury* was never again so vocal on the behalf of the small farmers. Balfe, who had always been keenly interested in the land question and the plight of the small farmers, died in 1880.<sup>89</sup> The cause of the small farmer and selector was ably taken up by Bolton Stafford Bird, the new member for Franklin. Bird, a former clergyman of the Methodist, then Congregational, churches, came from Northumberland via Victoria, and bought a farm at Surges Bay, not far from Balfe's old country. He pioneered apple exports from the district, and was the MHA for Franklin from Balfe's death to 1903. His biographer, C J Craig, summed up his contribution to parliament as 'no pretensions to brilliance' but 'useful, fair, and conscientious'.<sup>90</sup> This maybe so, but early in his political career, Bird took on the pastoral interests in parliament and achieved, if not a victory, at least a stalemate.

Matters might never have come to a head if Christopher O'Reilly, brother-in-law to J D Balfe and Minister for Lands and Works in both the Crowther and Giblin ministries, had not resigned from parliament in 1882 after the Legislative Council weakened his public works scheme. The new Minister for Lands and Works was Nicholas Brown, member for the pastoral district of Cumberland since 1875.

---

<sup>89</sup> 'The Late Mr J D Balfe MHA', *Launceston Examiner*, 14 December 1880, p 2; *Mercury*, 14 December 1880, p 3.

<sup>90</sup> C J Craig, 'Bird, Bolton Stafford (1840–1924)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/bird-bolton-stafford-1664/text4381>, published in hardcopy 1969, accessed online 6 June 2013.

Brown, the son of a Hobart tradesman, had married Ellen Nicholas, daughter of that Henric Nicholas, whose father had selected 1851 pre-emptive rights land on his behalf. Brown became MHA for a pastoral electorate, and his connections ensured he won the next four elections unopposed. After leasing *Meadow Bank* pastoral estate, in the Derwent Valley, for some time, he was able to purchase it.<sup>91</sup> Brown had joined the gentry/pastoralists, and they had one of their own as the new Minister for Lands and Works.

The conflict emerged when, in 1883, the Giblin ministry produced a draft Crown lands bill for consideration by a select committee. Although no complete draft of this bill has been found, it was substantial, containing one hundred and thirty two clauses. The problems arose from the proposals for new agricultural and pastoral areas. By this time, no one in the ministry seems to have remembered that, more than a decade earlier, the government had tried to set up an agricultural area at Goulds Country. The settlement scheme at Castra, too, seems to have been forgotten, with the committee announcing that, 'new in our land legislation' are the proposals for setting apart Agricultural Areas. Roads were to be laid out and lots to be surveyed before selection. The roads, at least, would have been a new development. While the ministry originally intended that selection be conditional on residence, the committee removed this.<sup>92</sup>

---

<sup>91</sup> Gordon Rimmer, 'Brown, Nicholas John (1838–1903)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/brown-nicholas-john-3081/text4555>, published in hardcopy 1969, accessed online 6 June 2013.

<sup>92</sup> 'Crown Lands Bill, 1884: Report of the Select Committee', *TJPP*, XXXV Part 1, paper 112, (1883), pp 3-7.

The controversial proposal concerned the pastoral lands. The act proposed to give pastoralists permanent tenure of the Lake Country, something they had been striving for since they first moved their flocks onto the plateau in the 1840s. They had not already achieved this simply because there had been no need to purchase what they could have for nothing by squatting and the judicious outlay of a small amount to purchase strategic blocks. Under the new proposals, they were to have permanent tenure and in return they were to drain the lakes.<sup>93</sup>

It all came to nothing. The bill passed in the House of Assembly, although some members, led by Bird, were opposed to the limitations on selection imposed by the concept of agricultural areas, and wanted the whole island thrown open to selection.<sup>94</sup> The bill was introduced late in the session and time ran out before it could be passed in the Legislative Council. Perhaps this was all for the best; the government had proposed creating its new agricultural areas on the west coast, a scheme labelled as 'absurd' by James Dooley, the member for East Devon.<sup>95</sup> Dooley, a district surveyor and land owner, would have understood the rugged country of the west coast. The incomplete nature of the historical record means it is impossible to know why the ministry supported this idea. It is hard to imagine that even Hobart-born Tasmanians, provided they were educated, would not have understood the rugged and inhospitable nature of the west coast. Perhaps the current minister, Nicholas Brown, with experience on pastoral estates in Tasmania

---

<sup>93</sup> 'Crown Lands Bill, 1884: Report of the Select Committee', paper 112, (1883), pp 3-7.

<sup>94</sup> *Mercury*, 17 October 1883, p 3.

<sup>95</sup> *Mercury*, 17 October 1883, p 3.

and Victoria, did not know. Perhaps it was just all driven by the desire to make what they saw as waste lands earn revenue, the desire for 'improvement'.

The next year, the ministry tried again. By this time, Giblin had retired, replaced by Adye Douglas as Premier and Chief Secretary, and the former Chief Secretary, William Moore, had left the ministry. In a preliminary skirmish, on the evening before the second reading of the bill in the House, a heated debate took place over the issue of compulsory residence for selectors. Some months earlier, Minister for Lands, Nicholas Brown, had issued a notice to all selectors advising them that, in six months' time, steps would be taken to enforce the residence requirement on selections.<sup>96</sup> Was this an attempt by the pastoral push to drive selectors from the land? Some selectors apparently thought so, but the Minister, when questioned in parliament, claimed that he was endeavouring to stop speculation in lands, by preventing agricultural lands being used for pastoral purposes, and by ending the system whereby saw-millers applied for selections, sublet these out at extortionate rates to workers who cut the timber for them, and then abandoned the lands once the timber had been stripped off.<sup>97</sup> The argument sounds plausible, but that type of exploitation had been fuelled by the 1851 gold rush, and the years of the timber boom were long gone.

Some members in the House of Assembly took the concerns of selectors to the House. By this time in Tasmania, all members of parliament recognised that most

---

<sup>96</sup> 'Crown Lands Office: 21 January, 1884', *Mercury*, 13 June 1884, p 4.

<sup>97</sup> *Mercury*, 18 July 1884, p 3.

selectors needed off-farm income in order to improve their lands and pay their instalments. The Minister stated that he did not intend to take action against these selectors, but against speculators. The Treasurer, Hobart merchant W H Burgess, warned that the Legislative Council would never agree to compulsory residence on selections, but the opposition in the House was not based on the pastoralist versus selector basis. Bird and Braddon, from the electorates dominated by small farmers, Franklin and Devon, were joined in opposition by Alfred Pillinger, pastoralist and member for Oatlands. They interpreted the Minister's action as harassment of selectors, who, they claimed, had been 'frightened into throwing up their land' by the notice. Pillinger thought the Minister had no idea of the effect that the notice had had on selectors.<sup>98</sup>

The other point to arise from this discussion related to how much discretion the parliament was prepared to allow the Minister in implementing the legislation. The previous chapter showed that, in the seventies, parliament had been prepared to allow the Executive a certain amount of leeway in decisions about forfeiture of land, with the result that both selectors and large landowners could be given time to pay, although there was no system for deciding who received the privilege. The use of the Minister's so-called discretion in enforcing the law was now questioned, with Braddon claiming that the minister had no right to enforce the law with regard to one case, but not in another. The House finally agreed that

---

<sup>98</sup> *Mercury*, 18 July 1884, p 3.

forfeiture could not be enforced against one class of settler but not another, and that the remedy must lie in the proposed new act.<sup>99</sup>

The following day, the new bill was presented for the second reading in the House. It had been drafted in committee the previous year, and subsequently improved upon under the guidance of the first pastoralist to be Minister for Lands and Works, Nicholas Brown. His influence was clear. The bill proposed the reintroduction of pastoral selection, which had been abolished in the reforms of the seventies. There were now to be designated pastoral areas, in which only pastoral activities were to be permitted, and leases were to have secure tenure. Within these, pastoralists were to be permitted to select up to 640 acres from any run. It was all rather like a return to the 1851 Regulations, except for the fact that the pastoralists were now taking on the mantle of improvement. The Minister prefaced his introduction to the bill by saying ‘it would be unwise to disturb or harass the pastoral industry’, and then pointed out that in the waste lands, there were ‘hundreds of thousands of acres...bringing in no revenue whatsoever’, and these should be turned to earning money for both government and pastoralists. The target area was to be the ‘rich Lake lands,’ which, without any inducement to pastoralists, would remain ‘a howling wilderness’.<sup>100</sup>

Furthermore, the conditions governing pastoral leases as proposed in the 1883 draft bill were to be weakened. The original proposal was for continued

---

<sup>99</sup> *Mercury*, 18 July 1884, p 3.

<sup>100</sup> *Mercury*, 19 July 1884, pp 3-4.

occupation of pastoral leases to depend on the occupier 'improving' the land. In the 1884 act, the Minister stated that improvement was not necessary for pastoral lands.<sup>101</sup> This rather made nonsense of his proposal to lease out the Lake lands to pastoralists, who would convert them from the wilderness, and strengthens the argument that the Minister was acting on behalf of the pastoral interests, who were simply lobbying for control of yet more land.

The Opposition, led by Bird, raised a multitude of objections. They wanted the same terms for agricultural selection as those proposed for pastoral selection. They argued that auction encouraged speculation, and there was evidence of dumming, with selection under false names and many lots ending up in the hands of one man. Bird turned the pastoralist's improvement argument on its head, claiming that the Lake Country was now some of the best land in the Colony, and, when drained, it would be fit for agriculture. It was wrong to tie up these lands for years in pastoral leases. In the end, both sides of the House wanted so many changes to the bill that it was decided to put the discussion off for another week.<sup>102</sup>

On 18 September, the ministry withdrew the Crown lands bill. The Minister blamed the failure of the lands bill on the member for Franklin, Bolton Stafford Bird, whose plans to give away land to selectors threatened the financial stability of the government. The House was unable to accept this. The ensuing debate

---

<sup>101</sup> *Mercury*, 19 July 1884, pp 3-4.

<sup>102</sup> *Mercury*, 19 July 1884, pp 3-4.



revealed that Brown lacked support for his proposed changes to the pastoral leases in both the House and the Ministry. The retiring premier, Giblin, had not agreed with the new Treasurer, John Stokell Dodds, and there was a new ministry coming in. Henry Lette and J R Dooley, both northern members and landholders themselves, wanted encouragement for agriculture, but were prepared to forego the new agricultural areas in order to prevent changes to the pastoral leases. Dooley claimed that, under Brown's proposals, one man alone would have acquired 10,000 acres. Giblin seems to have summed up the feelings of most members by saying 'Land bills were more troublesome than any other' and that, 'while the present bill could be improved, the country would get on well enough without it'. With the pressure of other and more important legislation before the House, the Minister withdrew the bill, and the pastoral licences, which were now falling due, were renewed under the provisions of the *Waste Lands Act 1870*.<sup>103</sup>

It is now possible to answer the first three questions posed at the beginning of this chapter. The reform ministries were composed for the most part of city men, whose priority was reform in health, education, mining and property law, and the masters and servants legislation. Reform of the land legislation was not a priority on their agenda, and, in any event, the ministry was divided over the changes proposed by the Minister for Lands and Works in 1882-3. It was easier to leave the land legislation as it was.

---

<sup>103</sup> 'Votes and Proceedings', *TJPP*, 23 September, (1884), p 185; 'House of Assembly: Notices of Motion and Orders of the Day', *TJPP*, 18 September 1884, p 181.

While the pastoralists had failed in their bid to secure more land, the Minister, on a visit to his electorate the following year, promised he would keep working on the issue if pressure of business allowed. At the present, he said, there were more important questions related to electoral redistribution, education and health. Recent outbreaks of typhoid and diphtheria in the country areas showed the need for reform across the colony not just towns. He was accompanied on his visit by the Premier, Adye Douglas, who pointed out to a meeting in Bothwell that a minister was a minister for the whole country, not just a local representative.<sup>104</sup> Brown made no further attempt to reform the legislation with respect to pastoral leases and, in 1887, left the Ministry to be replaced by another pastoralist, Alfred Pillinger.<sup>105</sup>

In the early eighties, the government had reserved from selection the stretch of potentially good agricultural land along the proposed Scottsdale railway line, in order to prevent speculation. With the failure of the bill of 1884, the member for north Launceston, Henry Lette, requested that these lands be opened to selection.<sup>106</sup> This was enabled by the *Waste Lands Act 1886*, which repealed the old provision for the declaration of agricultural areas, but allowed the governor-in-council to declare agricultural areas within two miles of any railway line, in which selectors could purchase one lot up to 160 acres, under the terms of the

---

<sup>104</sup> 'Ministerial Visit to Green Ponds and Anthill', *Mercury*, 13 July 1885, p 3.

<sup>105</sup> Brown continued his career in politics, and diversified his business interests into the growing mining industry. See Gordon Rimmer, 'Brown, Nicholas John (1838–1903)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/brown-nicholas-john-3081/text4555>, published in hardcopy 1969, accessed online 6 June 2013.

<sup>106</sup> *Mercury*, 19 July 1884, pp 3–4.

*Waste Lands Act 1870*. In another attempt to guarantee occupation and improvement of such land, the act required occupation by the selector, his tenant or agent, for five years, and for one twentieth of the land to be brought into cultivation each year. Early repayment was not permitted for the first five years.<sup>107</sup> There was general support from the press and some of its readers, although the *Mercury* doubted whether 160 acres was sufficient to make a living.<sup>108</sup>

No-one apparently thought it of sufficient importance to point out that, under these terms, selectors would be prevented from having the franchise for at least the first five years on their selection, since they were not permitted to purchase the land in that time. Realistically, the only way a selector could gain the franchise was to earn £80 per year, at the mines perhaps, while leaving his family on the selection. His only chance then of meeting the improvement conditions was if he had sons old enough to work the farm on his behalf, and willing to forego their own chance of a good wage off the farm. The parliament was putting every obstacle it could in the way of selectors exercising the franchise.

Selection by minors under 18 years, always permitted in Tasmania either under the Waste Lands Acts or informally, was now prohibited, bringing Tasmania into line with other colonies. Selection was allowed between the ages of 18 and 21

---

<sup>107</sup> 50 Vict no 11, ss 1-7.

<sup>108</sup> *Mercury*, 30 November, 1886, p 2; A Horne, 'Our Waste Lands Act', *LE*, 9 October 1886, p 1, *LE*, 10 November, 1886, p 3.

years, provided the young selectors signed a declaration accepting the same rights and responsibilities as those of full age.<sup>109</sup>

The *Waste Lands Act 1886* dealt with a number of problems unresolved after the failure of the 1884 act. The problem of residence in the mining towns was dealt with by allowing the holders of Miner's Rights, Business Licences, or Residence Licences on any town lot to purchase up to one quarter of an acre of the land, for £10, provided they had erected buildings to the value of £50.<sup>110</sup>

Although the proposals for agricultural areas had been set aside, under the *Waste Lands Act 1886* the government took over responsibility for surveying and clearing roads at least twenty feet wide in areas where 500 acres had been selected in at least five lots.<sup>111</sup> Previously local road trusts roads had responsibility, and the government only cleared roads after ten lots had been taken up, but the district surveyors had repeatedly observed that selectors would only take up land where there were roads.<sup>112</sup> In 1881, the District Surveyor for Franklin, George Innes, had reported that many useful works had been carried out in his district under section 28 of the *Waste Lands Act 1880*, and that the requirement for ten lots to be selected before works were undertaken should be dispensed with.<sup>113</sup> The government followed the surveyors' recommendations in the face of moves by

---

<sup>109</sup> *Waste Lands Act 1886*, ss 8-9.

<sup>110</sup> *Waste Lands Act 1886*, s 10.

<sup>111</sup> *Waste Lands Act 1886*, ss 11-13.

<sup>112</sup> 'District Surveyors' Reports', *JHA*, XLIII, part 2, paper 104, (1882), pp 9,16.

<sup>113</sup> 'District Surveyors' Reports', *JHA*, XLI, paper 60, (1881), pp 6-7.

Alfred Pillinger to once more have the money realised from selection allocated to the local road trusts.<sup>114</sup>

Every waste land act had contained provisions under which land was to be forfeited, but as the previous chapters showed, these were rarely enforced. The *Waste Lands Act 1886* gave the Executive power to prescribe times and conditions under which land was forfeited.

The *Waste Lands Act 1886* introduced the first in a series of reforms to regulate the practice of surveying. This had been proposed under the failed bill of 1884. The 1886 act made provisions for the examination of candidates for appointment as surveyors, for defining their duties, and controlling surveys.<sup>115</sup> Complaints about surveying errors increased during the eighties and assumed a new importance with the development of the mining industry, where there was much more at stake than the question of whose sheep were to run on which land. One such case arose in 1882 over a dispute concerning forty acres of land forming one of the sections to be worked by the newly-formed Anchor Tin Mine, at Goulds Country. The case went to appeal, but the Chief Justice ordered each party to pay their own costs, on the grounds that a mistake in the charts in the Lands Office had been the cause of the dispute.<sup>116</sup>

---

<sup>114</sup> *Mercury*, 25 November 1886, p 4.

<sup>115</sup> *Waste Lands Act 1886*, s 14.

<sup>116</sup> 'Supreme Court-in Banco', *LE*, 6 July 1882, p 3.

As a result, the *Waste Lands Act 1888* was mainly concerned with putting in place a number of measures designed to secure property rights in the event of surveying irregularities, and to prevent the repetition of such errors in future.<sup>117</sup> It is not discussed in detail here because, under section 11, it did not come into force until 1 January 1890. It was then repealed twelve months later by Tasmania's new land legislation, the *Crown Lands Act 1890*.

There were two other short-lived Waste Lands Acts. The *Waste Lands Act 1887* gave the Crown the right to mine for minerals under any land occupied by miners right, business or occupation licence.<sup>118</sup> In the absence of a complete record of the debate, it is difficult to imagine what the government intended here, but nothing has been found to suggest it was ever implemented. Equally short-lived was the *Waste Lands Act 1889*. Previous ministries had withdrawn large amounts of land within mining districts from sale and selection. The main purpose of this act was to make these accessible for selection.<sup>119</sup> Both selection and sale of lands at auction were now permitted within mining areas, in lots from ten to 100 acres, and within one mile of any town in lots from one to ten acres. The act changed the credit terms, back to seven years, but reduced the total interest charge from one third of the purchase price to one fourth.<sup>120</sup> The first lot selected under this

---

<sup>117</sup> 52 Vict no 33; *Waste Lands Act 1888*, ss 2-3, 7.

<sup>118</sup> 51 Vict no 12.

<sup>119</sup> 59 Vict no 38; *Mercury*, 13 November 1889, pp 3, 4.

<sup>120</sup> 53 Vict no 38, ss 6-8, Schedule.

scheme, a thirty acre block, was pegged out near the west coast mining town of Zeehan, within a week of the passing of the new act.<sup>121</sup>

The vexed question of how to keep faith with immigrants who were entitled to select land under the *Immigration Act 1867* but had failed to do so was still unresolved, the Legislative Council having consistently refused to consent to the bill. Draft legislation had been prepared again, but the Treasurer withdrew this at the end of the last session of parliament in 1889.<sup>122</sup> It was finally passed in December 1891, and allowed eighteen immigrants, or their heirs, to make their selections.<sup>123</sup>

In 1889, with the age of free land grants long gone, the parliament passed an act granting three hundred acres of the waste lands of the Crown to 'Fanny Smith, an Aboriginal'. She was granted the 100 acres on which she lived and an additional two hundred acres. The land at Nicholl's Rivulet, County of Buckingham, Parish of Coningham adjoined land purchased by Thomas Smith, E Ribbon, and William Smith respectively, and Crown land.<sup>124</sup> It seems Fanny was granted land adjoining her husband's selection. When she died in 1905, the land was left to her children.<sup>125</sup>

---

<sup>121</sup> *Mercury*, 18 December 1889, p 2.

<sup>122</sup> *Mercury*, 21 November 1889, p 4.

<sup>123</sup> 55 Vict no 71.

<sup>124</sup> *An Act to Authorise a Grant of three Hundred Acres of the Waste Lands of the Crown to Fanny Smith, an Aboriginal*, 53 Vict no 67.

<sup>125</sup> The terms of the will are beyond the scope of this discussion, but are discussed in David Coad, *Port Cygnet, 1860-1900, Vol 2*, (Kingston, Tas., 2010), p 21.

## Results

During the eighties, 452,506 acres of country lands were sold, some 50,000 acres more than in the seventies. Sales were fairly steady across the period. The worst year was 1881 when only 31,335 acres were sold, and the best just three years later when 69,616 acres were sold. By 1890, most country land was sold in the counties of Wellington and Devon in the north-west near the tin mines, and Buckingham (around Hobart) in the south. Land sales, always a litmus test for performance in the wider economy, declined after 1884, evidence perhaps of an economy weakening towards the next depression. This was quite different from the 1860s, when quarter of a million acres sold in just two years, 1861 and 1864, and sales declined to less than 20,000 acres at the end of the decade.<sup>126</sup>

These figures partly reflected the declining importance of agriculture in the Tasmanian economy that Coghlan noted for this period.<sup>127</sup> Land revenue remained steady between £52,000 and £60,000 because of the higher price for town lands, but pastoral leases rapidly declined as a source of revenue, contributing one sixth of the total in 1883, and only one tenth in 1889. Receipts from deposits and instalments on selections contributed about one half of the total land revenue.<sup>128</sup>

---

<sup>126</sup> Calculated from 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, paper 124, (1891), p 10; 'Statistics of Tasmania 1890, Production', *TJPP*, XXIV, paper 150, (1891), p 278; 'Statistics of Tasmania 1881', *JHA*, XLII, paper 1, (1882), p 160.

<sup>127</sup> T A Coghlan, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901, Vol IV*, (Melbourne, 1969, first published 1918), p 1824.

<sup>128</sup> 'Statistics of Tasmania 1890, Production', paper 150, (1891), p 279.



Although agriculture declined, people still had to have somewhere to live, and as they moved to the new regional areas, the choices lay between buying town lands at auction if they were available, or a selection.

What were rural producers able to achieve with the additional land? Wool exports, which had boomed in the seventies, declined in both quantity and value, a result of the falling wool prices, and yet another symptom of approaching depression. See Table 6.1.

Table 6.1: Wool Exports, 1858, 1862, 1869, 1879, 1889

Wool Exports	1858	1862	1869	1879	1889
Weight lbs	5,701,884	5,241,650	5,607,083	7,385,002	6,240,921
Value £	393,646	366,350	303,209	407,227	283,237

Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), pp 6-12.

Chapter Two showed that wool prices fell after the pastoral boom of the 1870s and, in the late 1880s, demand for wool fell.<sup>129</sup> The area of land under leasehold fell sharply, from just over 2.5 million acres in 1880, to 1.1 million acres in 1886, and then to just 666,193 acres in 1890.<sup>130</sup> It continued to fall through the depression of the 1890s until 1894-5.<sup>131</sup> The actual quantity of wool produced fell from its high point of nine million lbs in 1880, to 5.7 million in the mid-eighties,

<sup>129</sup> Coghlan, *Labour and Industry*, Vol IV, p 1828.

<sup>130</sup> 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', paper 124, (1891), p 10.

<sup>131</sup> Coghlan, *Labour and Industry*, Vol IV, p 1828.

then rose again to 8.9 million lbs in 1890, the year when the acreage under leasehold reached its lowest point in the decade. The wool clip was worth just over half a million pounds in 1880, fell to quarter of a million in 1885, and then rose again at the end of the decade.<sup>132</sup>

It appears that by the eighties, the amount of land held under pastoral licence bore little relationship to the amount of wool actually produced. The most likely explanation for this is that falling wool prices drove the pastoralists to cut costs by not paying for their leases. The previous chapters have all shown that squatting on Crown lands persisted in Tasmania under the Waste Lands Acts. Roberts showed that both squatting and use of dummies to select land persisted well into the twentieth century.<sup>133</sup>

The decline in most areas of Tasmanian agriculture that continued into the 1880s was at variance with what was now happening in much of eastern Australia. In the Western Districts of Victoria, some selectors had become successful and there was a rapid expansion of agriculture in the late 1870s. Squatting opposition faded once the remaining pastoralists had secured freehold title on their lands. With the

---

<sup>132</sup> 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', paper 124, (1891), p 7.

<sup>133</sup> S H Roberts, *History of Australian Land Settlement 1788-1920*, (Melbourne, 1968, first published 1924), pp 335-6.

growth of small farms and the extension of the railway into the country, towns and villages grew up providing services and focus for rural community life.<sup>134</sup>

In the Riverina, massive selection took place in the 1870s. The area under cultivation rose from 8,000 acres in 1870 to 20,000 acres in 1884. Although tariffs in Victoria impacted negatively on New South Wales growers, just as they did on Tasmanian producers, the extension of the railway into the Riverina allowed growers there to access the Sydney markets. Farming operations became increasingly mechanized and the farmers were relatively prosperous in the 1880s.<sup>135</sup>

In the seventeen years following the introduction of the *Strangeways Act* in South Australia, almost two million acres had been brought into cultivation and the wheat harvest of 1884 exceeded the combined harvests of New South Wales and Victoria. The land reforms had been successful too in attracting immigrants. The population increased by 50,000 over the same period.<sup>136</sup> While this was good news for South Australia and its farmers, it helped spell the end of the wheat industry in Tasmania.

---

<sup>134</sup> Margaret Kiddle, *Men of Yesterday: a Social History of the Western District of Victoria 1834-1890*, (Melbourne, 1961), pp 424-68.

<sup>135</sup> G L Buxton, *The Riverina 1861-1891: an Australian Regional Study*, (Melbourne, 1967), pp 209-10.

<sup>136</sup> D W Meinig, *On the Margins of the Good Earth: the South Australian Wheat Frontier 1869-1884*, (London, 1962), pp 203-6.

In Queensland, like Tasmania, agriculture still struggled. Agricultural land in Queensland, at fifteen shillings per acre, had always been cheaper than Tasmanian land and this allowed landless men to take up small selections. The government had tried to force up the price of land there by introducing sale at auction in 1876 but the selectors had been able to defeat this move by acting in collusion in advance of the auctions.<sup>137</sup> Selectors on the Darling Downs who had good, well-watered lots near local markets had the best chance of success, but many selectors had walked off their land in the seventies. Many failed to comply with the conditions for improvement and cultivation and those who remained had turned to pastoralism.<sup>138</sup> Waterson found that the land legislation had resulted in the expansion of large estates, not settlement by yeoman farmers and that, while wheat could be grown, the crops were affected by rust and drought. Selectors were going into debt and land speculation was rife. A report to parliament on the conditions under which selectors lived was firstly suppressed, then actively opposed by the urban politicians who had so strongly supported selection and the belief in improvement. Between 1877 and 1884, there were high rates of forfeiture of selections. On the Cumkillenbar Agricultural Reserve, settled by eleven selectors in the 1860s, seven had walked off by 1874 and the remaining selectors abandoned agriculture for pastoralism. By 1884, only two were left and these were on the larger lots of 320 acres.<sup>139</sup>

---

<sup>137</sup> D W Meinig, *On the Margins of the Good Earth: the South Australian Wheat Frontier 1869-1884*, (London, 1962).p 115.

<sup>138</sup> Meinig, *On the Margins of the Good Earth*, pp 99-101.

<sup>139</sup> D B Waterson, *Squatter, Selector, and Storekeeper: a History of the Darling downs 1859-93*, (Sydney, 1968), pp 97-101.

In Tasmania, agriculture again produced mixed results. See Table 6.2. Oat production grew as wheat production declined, and this in spite of lower prices and overseas competition noted by the Railway Enquiry Board.<sup>140</sup>

Table 6.2: Agricultural Output 1858/9, 1868, 1879, 1889

Product	1858/9 bushels	1868 bushels	1879 bushels	1889 bushels
Wheat	930,298	878, 826	1,042,990	756,639
Oats	632,461	477,985	1,065,847	1,148,935
Barley	102,631	125,614	182,753	105,574
Apples	89,327	169,478	140,277	503,013
Pears	32,285	25,670	19,340	29,828
Potatoes	41,493 tons	27,374 tons	31,103	72,275

Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), pp 10-12.

The success story of the decade was the apple industry. Between 1875 and 1882, apple production doubled to reach 234,805 bushels, and by 1889 reached 503,013 bushels.<sup>141</sup> There are no figures for the berry fruits. The Tasmanian government had made some attempt to encourage the jam industry by allowing producers to claim back the tax they paid on the imported sugar. With small local markets, and intercolonial tariffs making their produce unprofitable in the Australian markets, farmers turned to the London market. The first shipment of apples to London was

<sup>140</sup> 'Report of the Railway Enquiry Board: Branch Lines', *TJPP*, XXXV, paper 64, (1883), p 3.

<sup>141</sup> 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', paper 124, (1891), p 11.

made in 1889, but these early shipments went by way of Melbourne. In 1896, direct shipments commenced from Hobart to London.<sup>142</sup>

Livestock numbers are shown in Table 6.3. In keeping with the decline in wool prices, sheep numbers fell again, but were still above the numbers in 1858. Numbers of cattle and pigs continued to grow, with the rising demand for meat from the mining communities.

Table 6.3: Livestock Numbers 1858/9, 1868, 1879, 1889

Livestock	1858/9	1868	1879	1889
Horses	21,563	22,272	24,593	29,778
Cattle	79,460	105,450	129,317	150,004
Sheep	1,504,393	1,569,809	1,835,670	1,551,429
Pigs	30,673	55,222	38,610	58,632

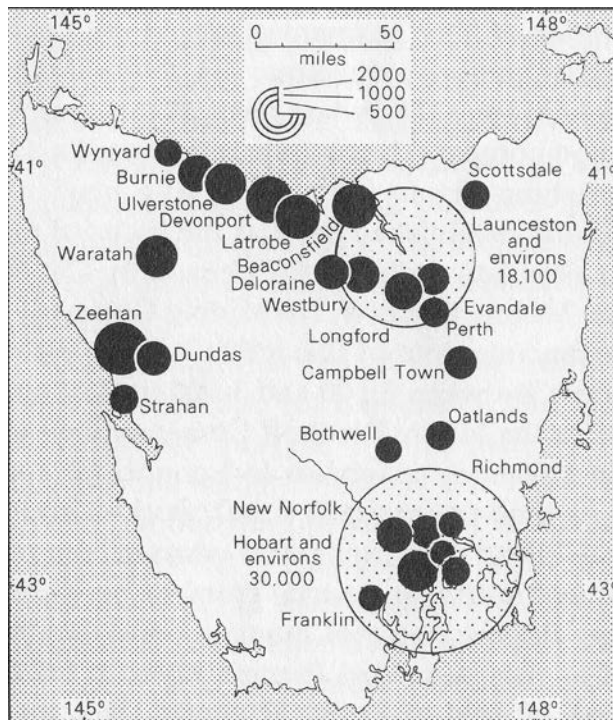
Source: 'Statistical Summary for Tasmania, from 1816 to 1890, Appendix A to Statistics of Tasmania for 1890', *TJPP*, XXIV, (1891), p 11.

The decline in the wheat industry was reflected in the regional towns. Before the 1880s, population in the small towns was not counted so a comparison with earlier decades is not possible. Figures from the eighties show that the old towns built on the wool industry, Westbury, Longford, Campbell Town, and Evandale, were all in decline. Now the growth corridor lay to the west of the Tamar Estuary. Potatoes, dairying, some grain, and sawmilling helped create the new towns of Deloraine, Ulverstone, and Latrobe. Further west, Burnie and Wynyard, both

<sup>142</sup> Coghlan, *Labour and Industry*, Vol IV, pp 2007-8; G J R Linge, *Industrial Awakening: A Geography of Australian Manufacturing 1788 to 1890*, (Canberra, 1979), pp 646, 657-60.

ports, became the market and administrative centres for the forest farms and tin mines of the hinterland. These towns are shown in Map 6.1.

Map 6.1: Towns in Tasmania 1891



Source: G J R Linge, *Industrial Awakening: A Geography of Australian Manufacturing 1788 to 1890*, (Canberra, 1979), p 643. Towns shown have over 500 inhabitants at the census of April 1891.

If Tasmania had been short of land for settlement in the 1830s, it was now really out of land. Map 6.2 shows the patterns of land alienation at 1889; unfortunately, there are no similar maps prior to the eighties for comparison. New settlers had always been forced to the frontier under the Waste Lands Acts, but this map shows just how dispersed and isolated the remaining frontier was. Almost none of the land remaining for selection was located near a port; only the strip along the railway lines in the north-east and near the tin mines at Waratah had access to any

transport; and there would have been very little in the way of local markets for produce except in these last two districts.

Map 6.2: Land Alienation in Tasmania 1889



Source: Walch's Tasmanian Almanac, (Hobart, 1889), insert.



The districts remaining open for selection were also quite small and heavily forested; any selectors would only have access to blocks too small to be profitable. Lots on the west coast, part of the unsettled lands under the early Waste Lands Acts, were exposed to the prevailing Roaring Forties, therefore wet and windy, not the place for sheep or agriculture. Although the land debates in the eighties had been less focussed than those of the earlier years on the idea of improvement, the government was being extraordinarily optimistic in opening most of this land to selection at all.

### **How did the small farmers live?**

The 1880s saw both the expansion and the demise of the company town on the Don River. Early in 1880, the sawmill at the Don River burned down. This led to another restructure, in which the cooperage and the furniture factory were closed, but the mill was rebuilt by the employees and volunteers and began operation again within months. The business now focused more on the trading activities and expanded into the Kentish Plains. It continued to buy the settlers' produce, and its tramways carried the settlers produce down to the Company wharf at the mouth of the Don River. In 1881, a brother to John Henry opened a store on the west coast, at what is now Strahan.<sup>143</sup>

---

<sup>143</sup> Faye Gardam, *Sawdust, Sails and Sweat, a History of the River Don Settlement, North-West Coast, Tasmania*, (Port Sorell, Tas., 1996), p 41.

In the late 1880s, the business environment in northern Tasmania underwent major changes and these determined the fate of the settlement at the Don River. It began with the opening, in 1885, of the railway from Deloraine to Latrobe via the small port of Formby, on the Mersey River.<sup>144</sup> Around the same time, the government decided to develop Formby as a deep water port. After almost thirty years, the timber in the hinterland was running out, and, when the economy began to contract in 1887, John Henry restructured the Company again and relocated it to Formby (now Devonport). At this stage, some of its former employees and some of its former tenant farmers settled elsewhere along the coast. The Company, now the River Don Trading Company, had many more prosperous years.<sup>145</sup> Although the company town was gone in just thirty years, it had helped establish a prosperous farming district.

Almost everyone thrived in the 1880s. The Byard family had turned their selection into a prosperous mixed farming enterprise, although the property was still only valued at £10.<sup>146</sup> James and Ann still lived on the farm, but Clement and his wife had taken over the management. During the eighties, they had three children, Susan (1880), Clement Henry (1882) and Theodore (1887).<sup>147</sup>

In the early eighties, Clement changed the mix of crops. Along with many other Tasmanian farmers, he abandoned wheat, and in its place cultivated barley,

---

<sup>144</sup> *LE*, 23 May 1885, p 2; Maureen Bennett, *The Quiet Achievers: The History of the Port of Devonport*, (Launceston, Tas., 1995), p 54.

<sup>145</sup> Bennett, *The Quiet Achievers*, pp 51-2, 63-4; Gardam, *Sawdust, Sails and Sweat*, pp 41-4.

<sup>146</sup> Valuation Roll for the Municipality of Deloraine 1885, *HTG*, 3 March 1885, p 372.

<sup>147</sup> 'Clement Byard', Diaries, NS1126/1/13 to NS1126/1/20, unpagged, TAHO.

linseed, and pease. As well as their kitchen garden, they now had a fruit orchard, producing apples and raspberries. They still kept pigs, horses and dairy cows, but the pastoral boom had reached even the small farmer. The Byards now had a sheep flock, which provided both mutton and wool. Pigs were particularly successful; one porker weighted over ninety-one lbs (about 42 kilos). Theirs was still a small farm and every crop was important for economic survival. In 1886, they produced 115 lbs of linseed, fifteen bushels of apples and two tons of potatoes, selling all the surplus in Chudleigh. In the dairy season, from late spring to late summer, they sold between seven and fourteen pounds weight of butter each week in Chudleigh. They purchased flour, sugar and household items on their visits to nearby Westbury, Deloraine, and Mole Creek.<sup>148</sup>

Summer was still the time for mowing the hay and threshing the grain, but the selection produced enough grain now for this to be bagged, and Clement had to build a shed for grain storage. They were trying to improve their pasture, sowing fescue grass where they were still clearing the land. Blackberries, now weeds that had spread from first plants so carefully nurtured years earlier by James Fenton at Forth, had spread to the Chudleigh district.<sup>149</sup> They picked the fruit for Mrs Byard senior to make into jam. As settlement had spread into the forest lands, the rabbits followed, and Clement shot rabbits as well as possums. In autumn they dug the potatoes and picked the apples.<sup>150</sup>

---

<sup>148</sup> 'Clement Byard', Diaries, NS1126/1/13 to NS1126/1/20, unpagged, TAHO.

<sup>149</sup> James Fenton, *Bush Life in Tasmania Fifty Years Ago*, (Launceston, Tas., nd), pp 118-9.

<sup>150</sup> 'Clement Byard', Diaries, NS1126/1/13 to NS1126/1/20, unpagged, TAHO.

In winter, there were more livestock to care for when the low lying lands on the farm flooded and the snow falls were heavy. There were fewer hands to do the work as Clement's siblings married and left home and his father's health declined. Unlike Henry Dean, Clement did not order his boots in town, instead, he made the boots for family and friends during the winter. There were new jobs in spring too. With a flock of sheep, there were new lambs, and their tails had to be docked. Grass, barley and oats were now sown in early spring, the raspberry canes planted out, and fruit trees pruned and grafted. By November, there was enough milk to commence churning butter for sale in Chudleigh.<sup>151</sup>

In these regional communities, ties based on mutual support and bartering of goods and services were essential for survival. In addition to Clement's in-laws, the Cook family, the Byards were close friends with the two Heazelwood families. Dr Heazelwood ran cattle on one of the Byard paddocks, and paid for this with a gift of a side of beef. When Mrs C Heazelwood gave birth to twins in 1886, Clement's wife, Susan, went to help, but sadly, within two days, both babies died.<sup>152</sup> These community links were often strengthened by intermarriage. In 1881, Clement's brother, Thomas, continued the family tradition by marrying the Cooks' other daughter, Kate Rose.<sup>153</sup>

The year 1886 was particularly significant for the Byard selection. Clement made the final payment on the farm and the title deeds arrived on 21 August 1886. By this time, James Byard senior was in failing health, and he passed away on the 15

---

<sup>151</sup> 'Clement Byard', Diaries, NS1126/1/13 to NS1126/1/20, unpagged, TAHO.

<sup>152</sup> 'Clement Byard' Diary, 1886, NS1126/1/18, unpagged, TAHO.

<sup>153</sup> *Launceston Examiner*, 22 November 1881, p 1.

December 1886.<sup>154</sup> Clement registered the death in Deloraine, and forty people attended the burial.<sup>155</sup> Clement and Susan remained on the farm at Deloraine until their deaths in the 1930s.

The Byard family left many descendants and made significant contributions to Tasmania. Two grandsons, James and Harry, discovered an extensive cave system near their home in 1906 but kept this secret until James was old enough to buy the land in 1911. The next year they opened the caves to the public as *Byards' Caves*, and this provided the livelihood for the boys. In 1921 the Tasmanian government purchased the land and took over the operation, which became the well-known tourist attraction, *Marakoopa Cave*.<sup>156</sup>

## Conclusion

The decade had seen the introduction of frequent small Waste Lands Acts. These were the result of the government failure to pass major land reform legislation in both 1883 and 1884. Among other things, the failed legislation had proposed changes which may have enabled the pastoralists to extend their holdings on easier terms into the Central Plateau, and would have seen the destruction of the lakes in the name of improvement. Opposition in the House of Assembly from improvers, from the small farming interest led by new parliamentarian, Bolton Stafford Bird, and differences of opinion within the ministry had seen this

---

<sup>154</sup> *Launceston Examiner*, 20 December 1886, p 1.

<sup>155</sup> 'Clement Byard' Diary, 1886, NS1126/1/18, unpagged, TAHO.

<sup>156</sup> Mole Creek & Chudleigh, Mole Creek Tourism Association, <http://molecreek.info/natures-wonders/mole-creek-caves/marakoopa-cave/>, accessed 11 February 2014.

legislation defeated. Over the following years, smaller acts were introduced to meet immediate needs; there was no strategic approach to land use.

Two of these acts contained attempts to regulate more closely the surveying profession, which had lacked professional leadership since the retirement of the Surveyor-General in the 1870s. With the development of mining, there was more at stake when surveying errors resulted in disputes over property, but the position of Surveyor-General was still not filled by a qualified surveyor.

The problems faced by agriculture became less significant for government in the face of the mining boom and the social reform agenda of the new ministries of the eighties. Agriculture was restructuring, with growth in the production of potatoes, hay and fruit, but declined in the older districts. Settlement expanded across northern Tasmania, fuelled by the opening of mining and Waste Lands Acts forcing selectors to the frontiers. Workers left rural labour and the old farming estates for higher wages in the mining districts. Some of the problems were just too hard. There were no legislative or technological solutions for the range of pests and diseases that ravaged both agriculture and pastoralism, with the exception of scab disease, which the wool industry had almost succeeded in eradicating.

With most land in private hands, and all the accessible arable land alienated, there was very little left for either government or the improvers to haggle about. If the government wanted to increase land revenue, it would have to find new ways to do so.

The electoral reforms of the decade did not create a democratic land agenda such as Victoria and New South Wales had experienced three decades earlier. They did not even create a modern democracy. With 6,451 electors for the Legislative Council and 25,932 for the House of Assembly, just seventeen per cent of the population had the franchise for the lower house. All except 201 electors voted for the Legislative Council under the property qualification; in the House just 990 voted on the basis of their salary. The majority, 24,942, voted on their property qualification. Plural voting still existed, and allowed small groups of voters to dominate some of the municipal elections. Around one third of all seats in the parliament were uncontested.<sup>157</sup> Land still meant the franchise in Tasmania.

---

<sup>157</sup> 'Statistics of Tasmania 1890, Population', *TJPP*, XXIV, paper 150, (1891), pp 91-4.

## Chapter Seven: Gould's Country: a Case Study of Selection in Tasmania

The previous chapters have shown that the government idea of setting aside designated agricultural areas for exclusive settlement by small farmers had been provided for in both the *Waste Lands Acts* of 1858 and 1863, but nothing had been achieved up to 1867. In an attempt to revitalize declining land sales and immigration, they committed funding to mark off lots for an agricultural area at Goulds Country and introduced the *Immigration Act 1867*, which offered free land for settlers who paid their own fare to Tasmania. The settlement at Goulds Country lasted for a century, and for this reason, and the fact that it was the only agricultural area ever designated for general settlement under the *Waste Lands Acts*, it was chosen as the case study for this chapter.

This chapter seeks to understand how Tasmanian selectors lived under the *Waste Lands Acts* by examining the following questions. How and why did the government propose to establish the agricultural area at Goulds Country? Who were the first selectors and why did they choose this way of life? How did they live while they were establishing their farms? Given that this settlement was carved out of virgin bush, how did selectors cope with the isolation of a frontier society? Is it possible to find out anything about women's lives in this settlement? Did they manage to establish successful farms, and what contribution did this settlement make to the regional and colonial economies?



This study is significant because it presents an economic and social history of a region not previously studied. A number of works examine the development of the tin mining communities in north-east Tasmania in the late nineteenth and twentieth centuries, but contain little more than passing references to Goulds Country. John Beswick's study provides a detailed and thoroughly documented history of the development of the tin mining industry and associated communities, but is centered on the town of Derby and the mines developed by the Krushka brothers.<sup>1</sup> Loone's work is a collection of articles written for a local newspaper so the emphasis is on stories about local identities rather than historical analysis.<sup>2</sup> It makes only passing reference to Goulds Country. Several other local histories focus on towns around the region, but none discuss the contribution made to the development of the region by the community at Goulds Country.<sup>3</sup>

The chapter is divided into four sections. The first describes the location for the reader and analyses the development of the scheme for the agricultural area. The second section deals with pioneering years of the first selectors. The third section examines the development of the regional economy and the contribution made by the selectors in the prosperous years of the 1880s. The final section covers the

---

<sup>1</sup> John Beswick, *Brothers' Home: The Story of Derby*, (Gravelly Beach, Tas., 2003).

<sup>2</sup> A W Loone, *Tasmania's North-East: A Comprehensive History of North Eastern Tasmania and Its People*, (Launceston, Tas., 1981, originally published by the *Examiner*, 1928).

<sup>3</sup> These include W H MacFarlane, *W H Macfarlane's History of North East Tasmania*, edited by John Beswick, (Scottsdale, Tas., 2007); Jeff Jennings, *A History of Bridport: to Commemorate the Centenary of the Proclamation of the Township of Bridport, 1883-1983*, (Bridport, Tas., 1983); Cathie Bolch, Jennifer Muggeridge, Carole Withers, *Bygone Branxholm, 1883-1983*, (Branxholm, Tas., 1983).

development of the settlement in later years, assesses the outcomes from the agricultural area, and examines the fate of Goulds Country and its selectors.

Sources used include the parliamentary papers, assessment rolls, historic survey plans and maps, and state government archives. Determining which selectors lived on their land presented some problems. Although the valuation rolls were used to determine the franchise in the nineteenth century, they cannot be used to determine the primary place of residence, in the way electoral rolls are used today. Tasmania had plural voting, so the same person may be listed as ‘owner and occupier’ in several districts, and even multiple times within one district. To identify the first settlers, the valuation rolls were used in conjunction with other sources including the parliamentary papers, newspapers, historic plans, family histories and birth, death and marriage records.

The historical maps and charts of Tasmania were accessed by courtesy of the Information and Land Services, Department of Primary Industries, Parks, Water and Environment (DPIPWE). These maps are currently being digitised and will shortly be available to the public through Service Tasmania’s *Land Information System Tasmania* (LIST) website.<sup>4</sup> The historic plans and maps were useful in identifying specific selections, but using them presents some problems. They were the working documents of the Survey Department, so once a chart was drawn, notes related to road construction, changes in land use, re-surveys and changes of

---

<sup>4</sup> *Land Information System Tasmania* (LIST), <http://www.thelist.tas.gov.au/>, accessed 1 October 2013.

title were written over the original maps, and not all these additional notes were dated. When the maps fell into disrepair, they were redrawn, and sometimes earlier information was lost in this process. Selectors and other purchasers who did not complete their payments were never granted title to the land, and so were among those whose names were removed in later versions of the charts.<sup>5</sup>

The St Helen's History Centre also holds a collection of documents on Goulds Country and a working model of the Anchor tin mine and a museum. Many of the documents have been included in the published sources discussed below, but there are also a number of photographs, mostly undated, which were accessed. Most of the oral history records in this collection relate to the twentieth century and are outside the scope of this paper.

There are three family history documents related to the settlement at Goulds Country. One of the first selectors, Benjamin Smith, spent twenty years in Goulds Country and left an autobiography which was preserved in the family history written by a direct descendant.<sup>6</sup> William George Fitzgerald, the grandson of another selector, William Henry Fitzgerald, was born and raised in Goulds Country and his reminiscences were published in 1955.<sup>7</sup> William George Fitzgerald was a Presbyterian minister and his articles were written for a

---

<sup>5</sup> Personal communication. Robert Higgins, Program Leader, Survey & Administrative Drafting Services, Information and Land Services Division, Tasmania: Department of Primary Industries, Parks, Water and Environment (DPIPWE), 16 January 2013.

<sup>6</sup> Jennie Chapman, *Benjamin Smith: My Passage in Time, 1835-1927*, (Caboolture, QLD, 2003).

<sup>7</sup> W G Fitzgerald, *Conquerors of the Rugged North East*, (St Helens, Tas., 1995, originally published as a Saturday serial in the *Examiner*, beginning 5 March 1955).

conservative paper. It will be shown that his account is part of the tradition which concealed Tasmania's convict past. The Johnston family members from Scotland were among the first selectors and their descendants remained in the area for over a century. Their history was compiled from letters and oral history accounts of descendants for a family reunion.<sup>8</sup>

Three other sources relate specifically to the settlement of north-east Tasmania. Charles Furlong, who settled on a small farm at Myrtle Bank, between Launceston and Scottsdale, under the provisions of the *Immigration Act 1867*, published an account to guide immigrants intending to come to Tasmania.<sup>9</sup> Unlike the Goulds Country settlers, Furlong did not have to start from scratch in the forests, but was able to obtain a partly cleared farm with an existing dwelling. However, his work is useful for its insights into the economic and social conditions related to small farming at the time. Another settler, unnamed, wrote three articles on his experiences as a Tasmanian selector for the *Manchester Times* in 1890. His descriptions of the country side, with both gold and tin mines, indicate that his selection was in north-east Tasmania. Like Furlong, he was able to purchase land with a dwelling. His articles contain more detailed descriptions of farming practices and of the countryside in the late eighties.<sup>10</sup>

---

<sup>8</sup> Elizabeth Baade and Beverley Banks, *Johnston Family Reunion: 12th, 13th March, 1994*, (St Helens/Goulds Country, 1994).

<sup>9</sup> Charles Furlong, *The Settler in Tasmania 1873-1879*, (Adelaide, 1982, first published as *Emigration to Tasmania*, London, 1879).

<sup>10</sup> 'Settling in Tasmania: Experiences of a Working Man Immigrant No I, II and III,' *Manchester Times*, 1 March 1890, p 4, 8 March 1890, p 4, 15 March 1890, p 4.

Although the *Manchester Times* did not name the contributor, it is probable that it was Samuel Skemp. The story of the Skemp brothers mirrors that of the *Manchester Times* correspondent. Samuel and John Rowland Skemp emigrated from Manchester, via Melbourne, in the late sixties, and their story provides the third source. Their three older brothers remained to work in the cotton industry in Manchester. They kept in close contact with the brothers throughout their lives, and regularly forwarded copies of the Manchester papers to the farm Samuel had purchased at the government auctions early in the seventies. Rowland worked the farm, which was located at Myrtle Bank, while Sam continued to work off the farm. The Skemps, like the *Manchester Times* correspondent, brought with them their books, watercolours, and music manuscripts.<sup>11</sup>

## Goulds Country

In the late nineteenth and early twentieth centuries the name, 'Goulds Country', was given to both the township and the surrounding district. This included the districts of Pyengana, Goshen, the Blue Tier, and parts of Georges Bay.<sup>12</sup> Both Fitzgerald and Smith wrote about settlers of those districts as their neighbours in Goulds Country, but in this work the name of 'Goulds Country' refers only to that area surveyed for selection as an agricultural district under the 1868 regulations. It was originally called Goulds New Country.<sup>13</sup> Another surveyor, James Reid Scott,

---

<sup>11</sup> John Rowland Skemp, *Memories of Myrtle Bank: The Bush Farming Experiences of Rowland and Samuel Kemp*, (Melbourne, 1952), pp 20-2, 43-50, 60-5.

<sup>12</sup> Fitzgerald, *Conquerors*, pp 3-4.

<sup>13</sup> The district was named for geologist, Charles Gould. Max Banks, 'Charles Gould', in Alison Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, Tas., 2005) pp 164-5.

proposed instead the native name 'Kunarra'.<sup>14</sup> This was the name of the former aboriginal inhabitants.<sup>15</sup> On the early maps it is shown as 'Kunnarra', and the township blocks were gazetted under this name for the sales of 1876.<sup>16</sup> The name was not used in the contemporary newspapers or the settlers' stories, and by 1899, even the *Cyclopedia of Tasmania* could not remember the old name accurately, referring to the town as 'Goulds Country (or Kumara).'<sup>17</sup>

A satellite image of the district as it is today is shown in Image 7.1.

---

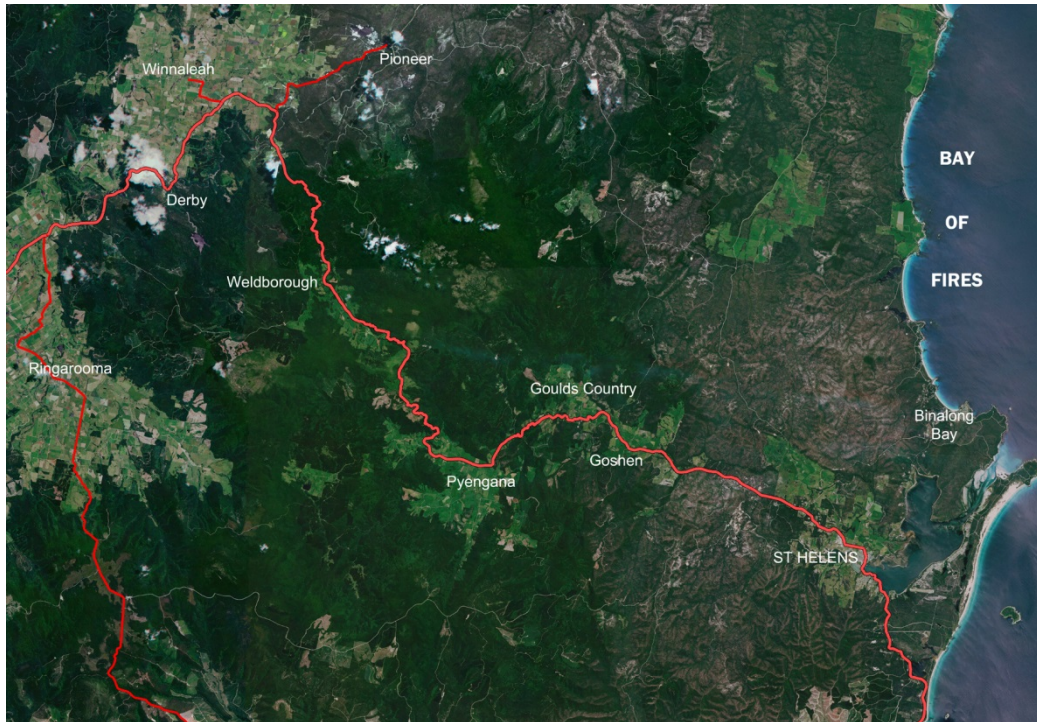
<sup>14</sup> *Cornwall Chronicle*, 2 May 1868, p 5.

<sup>15</sup> Peter Burns, 'St Helens', in Alison Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, Tas., 2005), p 319.

<sup>16</sup> *HTG*, 10 October 1876, p 932.

<sup>17</sup> *The Cyclopedia of Tasmania (illustrated): an historical and commercial review: descriptive and biographical, facts, figures and illustrations : an epitome of progress: business men and commercial interests*, Vol 2, (Hobart, 1900), p 187.

Image 7.1: St Helens District 2009



Source: Image supplied courtesy of TASMAP, 14 October 2013. Includes material copyright (2009) RapidEye AG, Germany. All rights reserved.

The Goulds Country pioneers, like those first settlers on the east coast in the 1820s, were travelling into unknown country. In 1869, the district was sparsely settled. There was an established port at Georges Bay and, although the road connecting the village of St Helens on the shores of the Bay to Falmouth in the south was inadequate, especially for carriages, Falmouth itself was connected to the Midland Highway by a good road.<sup>18</sup> The district was suffering under the long economic depression that followed self-government. There were just five houses in St Helens, holding a store, the police station, and a hotel.<sup>19</sup> The pastoral estates

<sup>18</sup> Mercury, 16 February 1870, p 2; James Sprent, 'This Map of Tasmania in 1859' at <http://nla.gov.au/nla.map-nk1777>, accessed 7 October 2013.

<sup>19</sup> 'Notes on the East Coast, No 3', *LE*, 6 May 1876, p 3.

in the hinterland had abandoned thousands of acres of formerly productive land that had been contaminated by the liver fluke parasite.<sup>20</sup>

A good bush road ran from St Helens to Goshen, a day's journey in 1869. The road ended there and beyond lay the forest. To the west, beyond the Blue Tier Range, Ringarooma was little more than a clearing in the bush. The only new enterprises in the region were around this road and to its north east. These ran cattle, which have a greater natural resistance to liver fluke than sheep.<sup>21</sup> Edward Warland, who arrived at Goshen in the late fifties, had encouraged other settlers, and, with his son-in-law Isaac Chapple, and the Treloggan brothers, ran dairy farms producing cheese. The Coffey (Coffee) brothers, Michael and Thomas, of St Helens ran beef cattle. There was some desultory gold mining carried on throughout the hinterland, and, although the gold rush to the town of Mangana was long over, the Black Boy mine some twenty miles south west of St Helens was doing well enough to support a hotel run by John Trowbridge.<sup>22</sup>

The district surveyor for Dorset, John Thomas, explored the district in 1863, and his report on the journey, with recommendations from the Surveyor-General that the region be settled as soon as convenient, was widely circulated.<sup>23</sup> Thomas

---

<sup>20</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, (1869), pp 54-62, 66-7; Robert Crawford, 'Fluke', *JHA*, XXII, paper 49, (1871), unpagged.

<sup>21</sup> Jamie Kirkpatrick, 'History', in Jamie Kirkpatrick and Kerry Bridle, eds, *People, Sheep and Nature Conservation: The Tasmanian Experience*, Collingwood, Vic., 2007, pp 25-6.

<sup>22</sup> 'Goulds New Country Dorset', *Mercury*, 12 February 1864, p 2; 'Notes on the East Coast, No 3', *LE*, 6 May 1876, p 3; Assessment Roll for the Rural Municipality of Fingal for the Year 1871, *HTG*, 21 March 1871, pp 437-88; 'Black Boy Goldfields', *Cornwall Chronicle*, 24 April 1871, p 2.

<sup>23</sup> 'Goulds New Country Dorset', *Mercury*, 12 February 1864, p 2.



reported on the land in glowing terms. He thought there could be as much as 40,000 acres, and he doubted if there was another such tract of land near a good shipping port anywhere on the Island. He reported that ‘...judging from the condition of Messrs Coffee’s horned stock, the herbage must be very nutritious, as the cattle running on the ground are in excellent condition.’<sup>24</sup>

Thomas supplied a tracing to accompany his report. This research has found that many of the surveyors’ tracings have not survived but the map drawn by Thomas has, and an extract from it is shown in Map 7.1. Although the archive defines it as ‘undated’, it is possible to date it between 1863 and 1864 because the points numbered A through to E match the description published in the *Mercury* in 1864, but the map does not show the later survey of the agricultural area made in 1868.

---

<sup>24</sup> *Mercury*, 12 February 1864, p 2.



Thomas was impressed by the many streams and this is reflected in his map, but this catchment is in fact drained by two rivers, the George and its main tributary, the Ransom; most of the other streams are ephemeral.<sup>25</sup> Both journeys made by Thomas took place in the wet season, spring in 1863 and mid-winter in 1867, and he failed to appreciate how dry this land could become in summer. The unexpectedly dry nature of the country during summer was to prove a lasting problem, as events will show.

It was originally intended that the whole region be opened, from the Bay of Fires to St Helens, and westward to the Blue Tier Range and Mt Victoria and this area was proclaimed as an agricultural area in April 1867.<sup>26</sup> At that stage it had not been surveyed and no roads were made, and a month later the initial proclamation was revoked.<sup>27</sup> In June 1867 surveyor Thomas was sent back to the district to cut a track for pack horses from Georges Bay to the Ringarooma River, and to report to the Treasurer in more detail on the land. The deciding point for the Treasurer must have been the surveyor's conclusion that, although the land was hilly, it was all capable of being ploughed. Although Thomas observed the presence of granite and quartz in the hills, he found nothing to indicate a mineral lode or vein of gold.<sup>28</sup>

---

<sup>25</sup> 'Waterways Monitoring Report: George Catchment', [http://www.dpiw.tas.gov.au/internnsf/Attachments/JMUY-BW8FL/\\$FILE/George\\_Report\\_04.pdf](http://www.dpiw.tas.gov.au/internnsf/Attachments/JMUY-BW8FL/$FILE/George_Report_04.pdf), accessed 4 September 2013.

<sup>26</sup> 'The Waste Lands Act, 1863', *HTG*, 2 April, 1867, pp 672-3.

<sup>27</sup> 'The Waste Lands Act, 1863', *HTG*, 7 May, 1867, p 888.

<sup>28</sup> 'Report on Goulds New Country', *JHA*, XV, paper 39, (1867), pp 3-8.

The report by Thomas was publicly questioned by fellow surveyor, J R Scott, who thought Thomas was unduly optimistic about the country.<sup>29</sup> In April 1868 the Tasmanian parliament appointed a team of three land commissioners for a further report.<sup>30</sup> Like Thomas, the commissioners assumed that the presence of large trees and dense fern undergrowth meant the soil was highly fertile. The report of the commissioners provided a good indication of what prospective selectors would face. After leaving Georges Bay, they travelled the track running along the George River to its termination at a tea tree swamp, and found the soil 'equal to the most favorable reports previously made upon it'. Along the northern track, now in the vicinity of Lottah Road, they found the going 'very tedious from the boggy nature of some of the creeks'. The ferns and vegetation were too dense for them to access the valleys of the Groom and Ransom Rivers, but they thought, judging by the tall forest and thick undergrowth, that the best soil was probably in there, and that tracks should be made up the valleys.<sup>31</sup>

While the commissioners agreed substantially with the conclusions reached by Thomas, they recommended that the agricultural area be confined to the Groom and Ransom Rivers because of the high cost of making roads throughout the district. By confining settlement to an area near Goshen, the only road making

---

<sup>29</sup> *Cornwall Chronicle*, 2 May 1868, p 5.

<sup>30</sup> The commissioners were J Laffer (timber licence inspector), J Swan (surveyor) and a Mr Gibson. *Cornwall Chronicle*, 22 April 1868, p 5.

<sup>31</sup> 'Goulds Country, County of Dorset', *Mercury*, Tuesday 21 April 1868, p 3; 'Georges Bay Agricultural Area', *Mercury*, 28 April 1868, p 2.

required would be to extend the existing road past Isaac Chapple's land and to build a bridge over the George River.<sup>32</sup>

The land at the Georges Bay portion along the Ransom and Groom rivers was duly surveyed into one hundred lots each of about 80 acres, and advertised early in 1869.<sup>33</sup> A square mile section south of the Groom River Bridge was divided into ten acre lots to form the township reserve at the junction of the two rivers. The northern line of road was marked (but not made) along the hills just to the west of the Ransom following the old survey line, and the other road followed the Groom.

The earliest surviving land district chart for Goulds Country is the Dorset 76 map. An extract from it is shown in Map 7.2 to illustrate the district surveyed for the agricultural area; smaller sections at higher resolution will be shown later. This map bears two dates, 1868 and 1888, so it shows the original survey with another twenty years land transactions written over these.

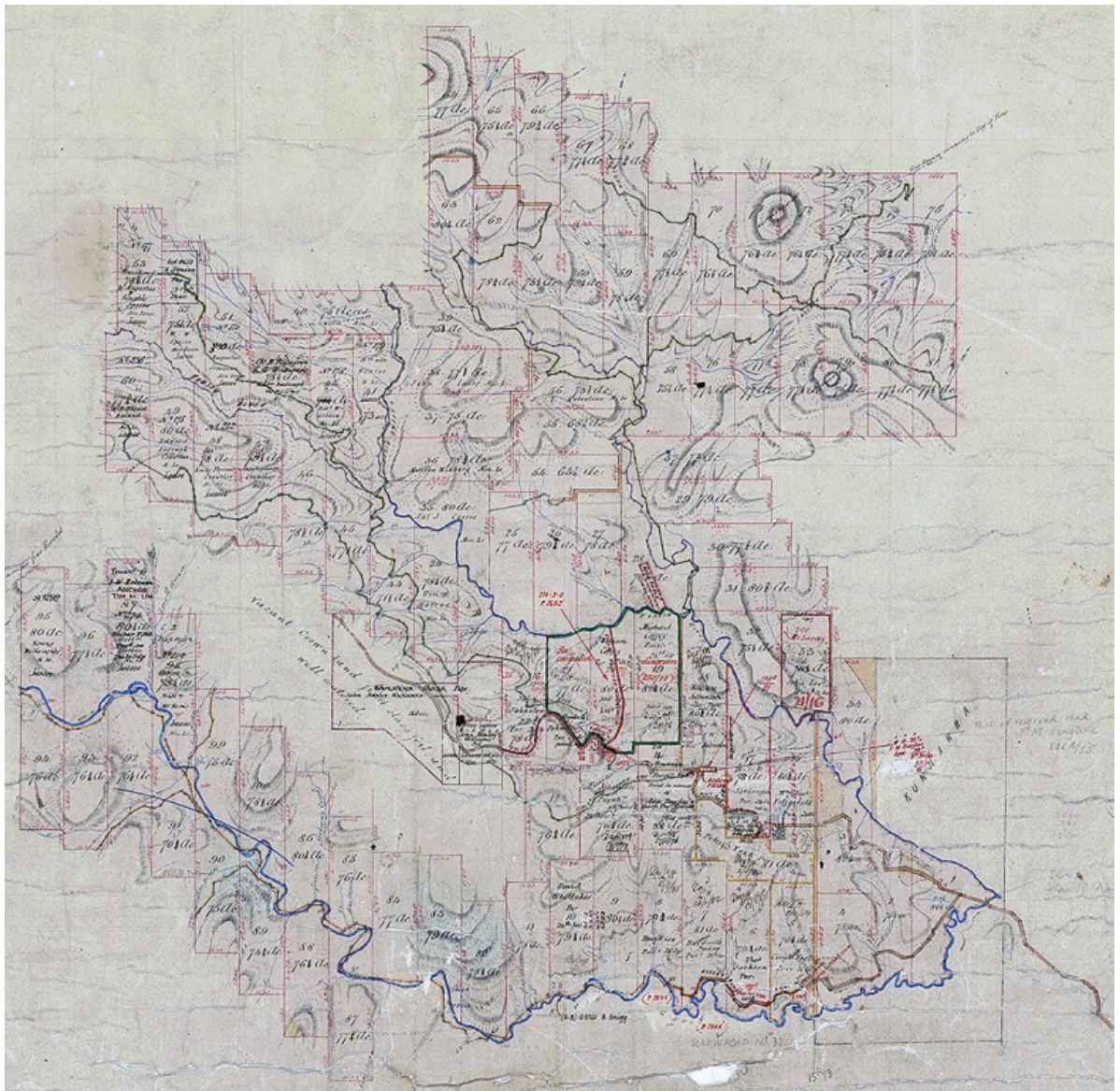
---

<sup>32</sup> 'Goulds Country, County of Dorset', *Mercury*, Tuesday 21 April 1868, p 3.

<sup>33</sup> *HTG*, 2 February 1869, pp 191-2.



Map 7.2: Goulds Country: Extract from Dorset 76



Source: Dorset 76 (1888). Reproduced with the permission of the Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania.

Robert Crawford, who was engaged in his review of Crown lands at the time, (see Chapter Four), was critical of the scheme. He predicted failure for the settlement unless the government provided roads both within the surveyed area and to link the district to the settled areas. He argued that the terms of purchase should be reduced because Goulds Country presented problems not found in the more

settled districts. There was no grass and no land suited for commonage where selectors could run stock, and, without animals, all clearing would have to be done by manual labour, which added to its cost. The most industrious settlers would only be able to clear two acres per year. Crawford had observed that the yeoman class near the settled districts in Tasmania barely eked out an existence; it must be harder here where there was no opportunity for seasonal work.<sup>34</sup>

When opening Goulds Country for selection, the government had taken the precaution of withdrawing from selection all other land in the country of Dorset (north-east) in case it should be auriferous. Crawford questioned this, arguing that there was other land in the district that could be profitably occupied, even though, judging by the rocky quartz ranges, its ultimate destiny was probably for mining, not agriculture. Instead of withdrawing these lands from selection, he recommended Tasmania follow Victoria's lead and sell the land while reserving the right to the Crown to resume the land for mineral purposes.<sup>35</sup>

With selection at Goulds Country slow to take off in the first year, the government revoked its reserve and opened the county of Dorset again to sale by private contract, but only on the condition that the district surveyor made a declaration that the lands were not auriferous.<sup>36</sup> Members of parliament little suspected that, while they were trying to attract desirable immigrants to settle on small farms,

---

<sup>34</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, (1869), pp 68-73.

<sup>35</sup> Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, (1869), pp 68-73.

<sup>36</sup> 'Waste Lands' and 'Office of Lands and Works', *HTG*, 31 May 1870, p 719.

along the rivers and underneath the land they had designated for agricultural settlement, lay a fortune, not in gold, but in tin.

## **Pioneering**

By December 1870, twenty lots had been selected. The list of selectors was published in the parliamentary papers.<sup>37</sup> This is shown in Appendix No Five. Although this was cross-checked against the valuation rolls, the contemporary newspapers, the selectors' narratives and the birth, death and marriage records, it is only possible to show that ten selections were occupied at the first settlement. Just five family groups pioneered Goulds Country.

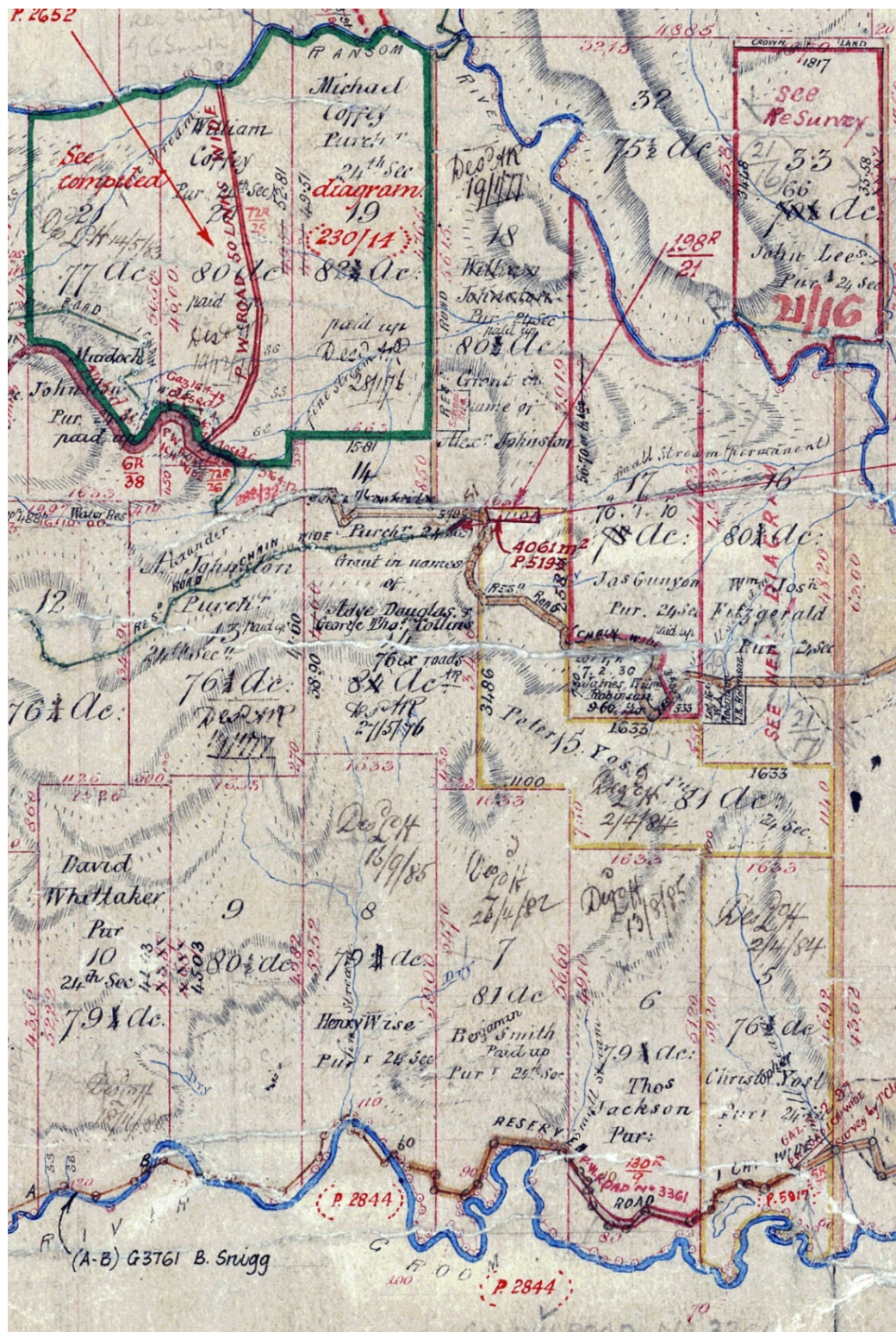
A more detailed extract from the Dorset 76 chart, Map 7.3, shows the first settlement. The township reserve lies off this map to the east, before the selections are reached.

---

<sup>37</sup> 'Crown Lands: Returns', *JHA*, XX, paper 53, (1870), p 7.



Map 7.3: First Selections: Extract from Dorset 76



Source: Dorset 76, 87939 (1888). Reproduced with the permission of the Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania.

The first selectors possessed both skills and some capital. With the exception of the Johnstons who came from Scotland in 1868, the original Goulds Country selectors were Tasmanians with years of experience in rural and bush life. Although many of them came from emancipist or convict backgrounds, they were not London thieves; these people came from the rural poor of Britain and were accustomed to farm life from childhood. William George Fitzgerald went to some trouble to establish the reputations of the Goulds Country selectors as respectable English immigrants. According to him, Smith was a Londoner lured to the gold rush; Fitzgerald the son of a captain in the Royal Navy; and Apted had fled his native Surrey because his marriage had displeased his wealthy family.<sup>38</sup> As it turned out, the selectors' varied experience in rural and bush Tasmania proved to be an important asset both for them and the settlement.

In late January 1867, the first of the future selectors at Goulds Country went to investigate the land. Travelling from the Bothwell district in Tasmania's midlands, Benjamin Smith, a shoemaker, and Thomas Lewis, a stonemason, walked one hundred and fifty miles overland for five days to spend two days examining the land.<sup>39</sup> After their return to Bothwell, Smith, Lewis and Henry Wise, a local builder, all made selections.<sup>40</sup>

---

<sup>38</sup> Fitzgerald, *Conquerors*, pp 5-8.

<sup>39</sup> Chapman, *Benjamin Smith*, p 5.

<sup>40</sup> 'Crown Lands: Returns.' *JHA*, XXI, paper 53, (1870), p 7.

Smith, married with two young children, owned his own cottage and business, and had £150 earned in the Victorian gold rush. He was probably financially secure, but he wanted to work outdoors again. He had worked on farms in Essex from the age of six, after his father was transported for theft. Benjamin senior served on Isaac Sherwin's Bothwell estate, *Sherwood*, where the family were allowed to join him when Benjamin was fourteen. He and his siblings, experienced rural labourers, readily found employment on farms in the midlands. In his first year in Van Diemen's Land, Benjamin learnt to live off the bush by setting snares for kangaroos and wallabies.<sup>41</sup>

Wise and Lewis were investors, not living on their selections. Thomas Lewis does not appear on the assessment rolls for the district after 1878, so presumably he abandoned his selection around that time before completing his payments. Henry Wise put Richard Apted (another Bothwell Methodist) on his selection as a tenant.<sup>42</sup> The Apteds went on to become long term residents of north east Tasmania, and, although they did not own a selection, they are included here because they made an essential contribution to the settlement at Goulds Country. Richard Apted and his brother William, rural labourers from Surrey, were transported for highway robbery in 1835. During servitude, Richard was punished several times for drunkenness and being absent without leave, but somewhere along the way Methodism found Richard, and he became a staunch supporter of the temperance movement and a lay preacher. He claimed to have been unlucky at

---

<sup>41</sup> Chapman, *Benjamin Smith*, pp 5-11, 13-24; Benjamin Smith, CON33/1/23, no 5621, Tasmanian Archive and Heritage Office (hereafter TAHO).

<sup>42</sup> Chapman, *Benjamin Smith*, p 37.

the Victorian goldfields, which might explain why he was not a selector. There is nothing to tell us why the Apteds moved to Goulds Country, but in 1868 Richard, his wife Sarah, and teenage children Ellen, Richard, Annie, William, Emily, and John were living in Bothwell when Sarah died. Richard and his sons were sawyers and splitters, just the people to help start a settlement in Tasmania's forest land. They constructed a saw pit on Henry Wise's selection, and cut the timber for Smith's first cottage. Henry Wise built the two roomed cottage for Smith, and Thomas Lewis put in the chimney. Smith, who had two children under four and a pregnant wife, did not bring his family to the selection until the cottage was finished in March 1870, by which time three other family groups were in residence (the Nichols, Fitzgeralds and Johnstons).<sup>43</sup>

Smith's neighbours, A W Nichols and F E Nichols and their families, selected two lots, one uphill at the back of Smith's, and the other fronting the Groom River; on the Dorset 76 map these blocks are shown as owned by Peter and Christopher Yost. The Nichols only stayed three years.<sup>44</sup> Smith's other neighbour, Thomas Jackson, was one of the first selectors, but little is known of him except that he lived alone with occasional visits from his adult son, John. He also leased a small farm from John Treloggan and 500 acres of Crown land.<sup>45</sup>

---

<sup>43</sup> 'Apted, William' Correspondence file, TAHO; William Apted, CON 18/21 no 667; Richard Apted, CON 31/1/2 no 666, CON 18/1/21; Chapman, *Benjamin Smith*, pp 26-7, 37.

<sup>44</sup> Chapman, *Benjamin Smith*, p 28.

<sup>45</sup> Chapman, *Benjamin Smith*, p 28; Fitzgerald, *Conquerors*, p 11; Assessment Roll for the Rural Municipality of Fingal for the Year 1871, *HTG*, 21 March 1871, pp 432.

The other group of Tasmanians, the Fitzgerald families, were also Methodists and came from Green Ponds (Kempton) and Campbell Town. They selected the first blocks past the township reserve, on the lower ground running down to the Ransom River. The selection was in the name of William Joseph Fitzgerald, the oldest son of William Henry Fitzgerald and his wife Harriet Gunyon. They had five other children and their seventh child was born at Goulds Country.<sup>46</sup> Harriet's brother, James Gunyon, another boot maker, selected next door, and, although he lived on his selection and planted an orchard, he leased out most of his land. John Lee, a nephew of William Henry Fitzgerald, selected land of the other bank of the Ransom River, but he returned almost immediately to Campbell Town and leased out his selection.<sup>47</sup>

Like the Apteds and the Smiths, this family group also had emancipist origins. Although it has not been possible to trace with certainty the ancestry of William Henry Fitzgerald, it is clear that William's father, Henry, a resident of Van Diemen's Land, was recommended for a small land grant in 1824.<sup>48</sup> He was not wealthy; when he drowned in a boating accident on the Derwent in 1826, he left a wife and two small children destitute.<sup>49</sup> William Henry was said to have gained his start in life on the Victorian goldfields, returning with sufficient cash to buy land at Green Ponds and settle down to married life, so the family already had

---

<sup>46</sup> Fitzgerald, *Conquerors*, p 9.

<sup>47</sup> Fitzgerald, *Conquerors*, pp 248-9.

<sup>48</sup> CSO Reel 6017, 4/5782, p 18.

<sup>49</sup> 'Coroner's Inquests', *HTG*, 28 October, 1826, p 2.

some experience of rural life before they became selectors. The Gunyons were of convict descent.<sup>50</sup>

The only immigrant family among the first selectors were the Johnstons. The oldest daughter of William and Isabella Johnston, Isabella Johnston Munroe, had settled in Tasmania with her husband and three children in 1856. In 1868, her brother, Alexander, with his wife, daughter and brother Murdoch, emigrated. They selected at Goulds Country, because on the voyage out they met government geologist, Charles Gould, for whom the district was named. He persuaded them. Alexander eventually owned several selections, but his first selection was on the hill overlooking the Ransom River. Murdoch chose a steeper block along what became Lottah Road, and another brother, John, who arrived shortly after, selected nearby. They were later joined by their father, William, and a younger brother James. With the exception of Murdoch, the Johnston brothers married and had large families.<sup>51</sup>

Michael Coffey of St Helens, and his son William, were also among the first selectors, but there is no evidence to show that they ever resided at Goulds Country. When Michael died, he left both selections to William.<sup>52</sup> David Whittaker, a Scot who selected on the Groom River near Wise and Smith, arrived

---

<sup>50</sup> 'Gunyon, Harriet', Correspondence files, TAHO.

<sup>51</sup> Baade and Banks, *Johnson Family*, pp 3-6.

<sup>52</sup> 'Coffey, Thomas and Michael', Correspondence file, TAHO; 'Michael Coffey 1877', Wills, AD960/1/10, p 310, Will No 1966, TAHO.



in the early years, but was not part of the first settlement.<sup>53</sup> Other names on the map were not among the first selectors.

The settlers walked to their selections from Goshen, along the track cut for pack horses and over the timber bridge crossing the George River. To get to their land, Smith and Apted had to cut their way through the Tea Tree Marsh then cross a morass the selectors named 'The Bog'.<sup>54</sup> The poor roads and boggy conditions in Goulds Country remained a problem for years. In 1876, the district correspondent for the *Mercury* reported '...our roads are beyond describing'.<sup>55</sup> Twenty years later the mail could still be held up by roads that were impassable in wet weather.<sup>56</sup> The Tea Tree Marsh was not bridged until 1892.<sup>57</sup> When new roads were constructed, they were slab roads, with the road base made from timber planks. The George River Bridge was made of 'corduroy', timber logs set across the road.<sup>58</sup>

The settlement was carved out of the forest, and the task of land clearing at Goulds Country was formidable even by Tasmanian standards. Selectors lived in bark shelters until they could build cottages. Those who brought calico tents found there was no clear space in which to erect them.<sup>59</sup> There was no grassland

---

<sup>53</sup> Chapman, *Benjamin Smith*, p 249; Fitzgerald, *Conquerors*, pp 11-2.

<sup>54</sup> Chapman, *Benjamin Smith*, p 27; Fitzgerald, *Conquerors*, p 25.

<sup>55</sup> 'Georges Bay and Goulds Country', *Mercury*, 18 October 1876, p 2.

<sup>56</sup> 'Moorina', *Launceston Examiner*, 30 November 1889, p 1.

<sup>57</sup> 'Goulds Country Road Trust', *Mercury*, 25 September 1893, p 3.

<sup>58</sup> Fitzgerald, *Conquerors*, pp 46-7.

<sup>59</sup> Fitzgerald, *Conquerors*, pp 23-4.

so selectors could not have livestock until they had cleared land and established pasture. In the meantime, all clearing had to be done by hand. Robert Crawford had thought that industrious settlers at Goulds Country could only hope to clear two acres each year.<sup>60</sup> Closer to Launceston, Charles Furlong counted on clearing 'half a dozen acres' annually.<sup>61</sup>

To clear the forests, vegetation under eighteen inches in diameter was cut out and burned; the larger trees were ringbarked and left to die. Selectors prepared the land with hoes, in order to sow grass seed around the standing trees, but the bark and limbs from the dying trees continued to fall on the pastures for years.<sup>62</sup>

The only market was twelve miles away at St Helens. Men could not be spared from the task of clearing the land, so the women walked into St Helens for supplies, stayed overnight, and carried the goods back the next day.<sup>63</sup> Selectors across north-east Tasmania had nothing good to say about the native animals. The settler who wrote a series of articles on settling in Tasmania for the *Manchester Times* referred to them as 'native vermin'.<sup>64</sup> Wallabies, possums, bandicoots and wombats either ate the crops or dug up the gardens at Goulds Country, so

---

<sup>60</sup> 'Goulds Country, County of Dorset', *Mercury*, Tuesday 21 April 1868, p 3; Robert Crawford, 'Waste Lands of the Colony', *JHA*, XVIII, paper 33, (1869), p 68.

<sup>61</sup> Furlong, *Settler in Tasmania*, p 100.

<sup>62</sup> Fitzgerald, *Conquerors*, 23-5.

<sup>63</sup> W G Fitzgerald, 'Pioneers Struggle to Enter Goulds Country', *Examiner*, 12 March 1955, p 14.

<sup>64</sup> The author's name was not published, and there is no way of knowing why these articles were published in Manchester. There is nothing to show if the paper had solicited the articles from a former resident, or if the Tasmanian government had paid for these to be written and published. 'Settling in Tasmania, II', *Manchester Times*, 8 March 1890, p 4.



selectors ate the wallabies and kangaroos, and made rugs from the possum skins. Even the Bog proved useful, being well stocked with eels.<sup>65</sup>

One of the problems Tasmanian selectors faced was loneliness. Furlong commented on the want of society and lack of a doctor and clergyman.<sup>66</sup> The *Manchester Times* correspondent complained that 'The one great drawback to bush life is the lack of congenial society; compared with that all other hardships are as nothing.'<sup>67</sup>

The Goulds Country selectors overcame this problem by bringing a ready-made community in their extended families, but they were united in other ways. They were all Protestant and most were family men, so church and school were important. Within three years they had built the Goulds Country Union Church (Image 7.2). This church still stands today, although the original timber shingle roof was vulnerable to bushfires.<sup>68</sup> It has since been replaced. The pioneers' graves were located behind the church and are just visible at the right hand side of the image. The church, along with its cemetery, is permanently listed in the Tasmanian Heritage register.<sup>69</sup>

---

<sup>65</sup> Fitzgerald, *Conquerors*, p 250.

<sup>66</sup> Furlong, *Settler in Tasmania*, pp 103-4.

<sup>67</sup> 'Settling in Tasmania: Experiences of a Working Man Emigrant, No III', *Manchester Times*, 15 March 1890, p 4.

<sup>68</sup> W G Fitzgerald, 'First Church Built by Pioneers', *Examiner*, 19 March 1955, p 46.

<sup>69</sup> Heritage Tasmania, [http://www.heritage.tas.gov.au/media/pdf/THR\\_2013\\_07\\_17.pdf](http://www.heritage.tas.gov.au/media/pdf/THR_2013_07_17.pdf), accessed 8 October 2013.

Image 7.2: Union Church Goulds Country 2013



Source: Photographed by B Meikle 11 April 2013.

Church and community activities at Goulds Country drew in a wider population. In 1870, the selectors established an enduring Goulds Country tradition, the tea meeting. It was held on the New Year's Day, on the recreation grounds William Henry Fitzgerald set aside at the front of his selection. There were games for the children, a cricket match in which the women sometimes participated, and entertainment and singing. In the early years tea was provided free. In later years people walked for miles to attend and paid one shilling for tea which included

raspberries and cream for dessert. Over one hundred people attended in 1877, and once dairy farming began further out along the George River in the district now known as Pyengana, a second, earlier tea was served to enable farmers to travel home in time for the evening milking.<sup>70</sup>

The selectors built their church with a chimney so it could double as a schoolhouse. With no dedicated school building or teacher accommodation in the early years, they struggled to keep a government teacher, but within eight years had their own Board of Education and two teachers.<sup>71</sup>

Farming presented a greater challenge and the early attempts were disastrous, with crops failing three years in a row. Both Smith and Fitzgerald recorded that the grass was eaten right down to the roots by grubs that came out of the forest. Then the grasshoppers came.<sup>72</sup> Establishing a bush farm was hard work everywhere in Tasmania. The correspondent to the *Manchester Times* described the process of clearing then planting in detail. His goal was to plant a grass, oats and potatoes, and establish a vegetable garden and small fruit orchard for domestic consumption. To achieve this, he had to leave his brother in charge of the selection and go to work clearing scrub for other people.<sup>73</sup> Furlong recommended that immigrants only spend half their time on their farms; the remainder should be

---

<sup>70</sup> 'Georges Bay and Goulds Country', *Mercury*, 10 January, 1877, p 3; Fitzgerald, *Conquerors*, p 33.

<sup>71</sup> Baade and Banks, *Johnson Family*, p 4; *Launceston Examiner*, 31 October 1876, p 4, 20 March 1878, p 3, 25 June 1880, p 3, 5 December 1892, p 3.

<sup>72</sup> Chapman, *Benjamin Smith*, pp 26-7.

<sup>73</sup> 'Settling in Tasmania', *Manchester Times*, 8 March 1890, p4.

spent working for wages. He eventually found fattening stock for market more profitable than agriculture.<sup>74</sup>

The problem at Goulds Country was selectors had no way to establish a cash flow. This made it quite different from the settlement on the Don River, or the selections where the Byards and the Deans lived. There was no local market for the timber and no way of transporting it along the pack track to the port. There were no farms or towns nearby where selectors could work for wages, and, if they did grow crops, there was no market for them either.<sup>75</sup> Faced with the need to support a growing family, Benjamin Smith decided to sell out. He found a buyer, Peter Yost, from nearby St Mary's who paid him a deposit.<sup>76</sup> The sale fell through when he was unable to transfer the land because he had not completed the payments. With no escape for the Smiths, Benjamin sold his cottage at Bothwell. It brought a much needed £150.<sup>77</sup>

Not everyone was treated so harshly. Thanks to administrative inefficiency in the government, the families of A W and F E Nichols, faced with the same hardships, were able to sell both their selections to Peter and Christopher Yost.<sup>78</sup> When

---

<sup>74</sup> Furlong, *Settler in Tasmania*, pp 15-7, 69, 92-6.

<sup>75</sup> Fitzgerald, *Conquerors*, pp 11, 25.

<sup>76</sup> Yost (or Tost), a German immigrant, arrived on the *America* in 1855, along with his step family, the Stengles. The Yosts were initially employed in Hobart, but all the Stengles were sent to Falmouth, south of St Helens, to work, and Yost later moved to the district. Marita Hargraves, *Inducements and Agents: German, Northern European and Scandinavian Recruitment to Tasmania 1855-1887*, (Sandy Bay, Tas., 2003) pp 206,210.

<sup>77</sup> Chapman, *Benjamin Smith*, p 27.

<sup>78</sup> Letter to Assistant Colonial Treasurer, 26 June, 1872, Surveyor-General's General Letterbooks, LSD16/1/31, Letters 308 and 310, TAHO.

Smith heard of this, he wrote to the Minister for Lands and Works requesting an explanation. He was told that the first transfer had been an oversight; the second was made because the Nichols family suffered ill health. Smith, who lived nearby, had not observed illness in any member.<sup>79</sup>

When work commenced on the Hobart to Launceston railway in 1871, some of the men, including young William Joseph Fitzgerald, walked the ninety miles to Campbell Town for work on the line.<sup>80</sup> By mid-1873, the Smith family finances were running out. They now had five children; they had sold their major asset in order to keep going on the land, and had no crops to show for it. Benjamin went shearing, but this was not 1852, when a man could earn £100 in a season. He started in New South Wales and returned in time for the shearing at Bothwell. In six months, he earned just £25. Although he had walked most of the way, his travel expenses were £5.<sup>81</sup> His family paid dearly for the long struggle; baby Ebenezer, born in 1875, died the following year because there was not enough food for him.<sup>82</sup>

When Smith returned, it was to a changed world. Someone had discovered tin in the Blue Tier range. In 1874, George Renison Bell, on his return from inspecting the Mt Bischoff tin mine in Tasmania's north-west, took out a number of leases in

---

<sup>79</sup> Chapman, *Benjamin Smith*, p 27. The letter to Smith from the Surveyor-Generals' General Letterbooks is not available because the relevant page is damaged.

<sup>80</sup> Fitzgerald, *Conquerors*, p 25.

<sup>81</sup> Chapman, *Benjamin Smith*, pp 28, 37.

<sup>82</sup> Chapman, *Benjamin Smith*, pp 28, 37.

the east, and the following year led a prospecting trip across the country from Ringarooma to the east coast across the Blue Tier range and Thomas Plains. John Clement Macmichael, Henry Horatio Gill, George Renison Bell and James Gaylor chose the ground that became the Union tin mine, while Harry White chose, on behalf of another group, the land that became the All Nations mine. Any tin they found would have to be transported through dense forests, so they set out to construct a road along the fourteen miles to Goulds Country, following the old survey track blazed in the 1863. In the meantime, another prospecting partnership, Kennedy and Chapman, had made a discovery at the Crystal Creek between Thomas Plains and Goulds Country, and had already cut a six mile track from there to the settlement at Goulds Country.<sup>83</sup>

The government had consistently refused to construct roads and bridges into the new regions being opened up under the Waste Lands Acts.<sup>84</sup> It was the miners, not the government or road trusts, who built the road from the hills to Goulds Country, and, with the help of the settlers, they rebuilt the bridge over the George River to make it suitable for carts. In November 1875, Alexander Johnston led two pack horses carrying supplies in to the mines. He returned with the first bags of tin for the steamer waiting in Georges Bay to deliver it to the Mount Bischoff smelter in Launceston.<sup>85</sup>

---

<sup>83</sup> Land Crab, 'Pioneer Prospectors of Weldborough and District', *LE*, 2 May 1896, pp 13-4.

<sup>84</sup> B D Meikle, 'Squatters and Selectors: The Waste Lands Acts of Tasmania, 1858-68', *Tasmanian Historical Studies*, 16, (2011), p 18.

<sup>85</sup> Land Crab, 'Pioneer Prospectors of Weldborough and District', *Launceston Examiner*, 2 May 1896, pp 13-4.

Although these mines are long forgotten, they made fortunes for their owners. James Gaylor and John Clement Macmichael, part owners of the Union Mine, along with Harry White of the All Nations mine, went on to become members of the Launceston Stock Exchange, and Henry H Gill, part owner of the Union Mine became a member of the House of Assembly and manager of the *Tasmanian News* in Hobart. Goulds Country, on the supply line between the port and mine, played a crucial part in the development of the new industry. With the completion of the track from Goulds Country to the mines at Thomas Plains, the rush began in earnest.<sup>86</sup>

In 1882, the Anchor tin mine opened at Goulds Country, upstream from Benjamin Smith's selection on the Groom River.<sup>87</sup> The location, on one of the original agricultural selections, is shown in Map 7.4. Its operation was almost continuous until 1950.<sup>88</sup> It helped ensure the survival of Goulds Country into the twentieth century.

---

<sup>86</sup> Land Crab, 'Pioneer Prospectors of Weldborough and District', *LE*, 2 May 1896, pp 13-4. For H H Gill, see S Bennett and B Bennett, *Biographical Register of the Tasmanian Parliament, 1851-1960*, (Canberra, 1980), p 68.

<sup>87</sup> 'Prospectus of the Anchor Tin Mining Company', *Mercury*, 29 July 1882, p 1.

<sup>88</sup> *Examiner*, 16 June 1942, p 3; 30 December 1950, p 4.







wash for tin.<sup>90</sup> In 1877 the new municipality of Portland was created for the district.<sup>91</sup> Goulds Country became the centre of a mining district, and the district farms produced fat stock, potatoes and hay for the mining settlements.<sup>92</sup>

## The Roaring Days

By 1877, with thirty-three of the Goulds Country lots held under mineral licenses, mines outnumbered farms in the agricultural area.<sup>93</sup> According to the *Cornwall Chronicle*, speculators from Hobart had taken up agricultural lots along the Ransom and Laffer Rivers for mineral purposes.<sup>94</sup>

In spite of the rush, the industry was slow to develop, and this helps explain why the Goulds Country selectors still struggled in the late seventies. Australian mining at that time was based on experience with gold; tin mining was new and the best ways of working had yet to be found. Cost of production was critical, because tin prices fluctuated so much. Mark Ireland, who came from New Zealand to Thomas Plains in 1876 seeking work and later became a mining manager, observed that when London tin prices fell in 1877, the industry faltered. Local conditions exacerbated difficulties. There were still no roads to speak of,

---

<sup>90</sup> Mark Ireland, *Pioneering on North East Coast and West Coast of Tasmania, from 1876 to 1913*, (Launceston, Tas., 1915), pp 51-2.

<sup>91</sup> *Mercury*, 6 July 1877, p 2.

<sup>92</sup> 'Extracts from Reports of the Collectors of Agricultural Statistics: Statistics, 1879', *JHA*, XXXVIII, paper 1, (1880), p 215.

<sup>93</sup> Assessment Roll for the District of Selby for 1878, *HTG*, 6 November, 1877, pp 1072-6.

<sup>94</sup> 'Notes on a Trip to the Eastern Tin Mines', *Cornwall Chronicle*, 3 March, 1876, p 3. The Dorset 76 map confirms this, showing parliamentarians W R Giblin (lot 42), Adye Douglas (lot 14), and Edward Lodewyk Crowther and two (female) members of his family (lots 47-9) holding selections.

only tracks suitable for pack horses, and a short-lived gold rush at nearby Mt Arthur drew miners away for a time. The need to keep costs down drove improvements in the industry, and in the late seventies, ground sluicing, using longer races and more water, was invented. Ireland said this caused a revolution in tin mining. It was safer and more efficient, and when the cart roads from Georges Bay to the mines were finished and the price of tin rose, miners flooded back.<sup>95</sup>

The selectors could all have gone to work for wages at the new mines, but, although some of their sons eventually did, they chose instead to remain independent. Some selectors, like Murdoch Johnston and Richard Apted, were able to mine tin on their selections.<sup>96</sup> Others developed businesses to service mining; the more they could diversify, the better their chances of economic survival.

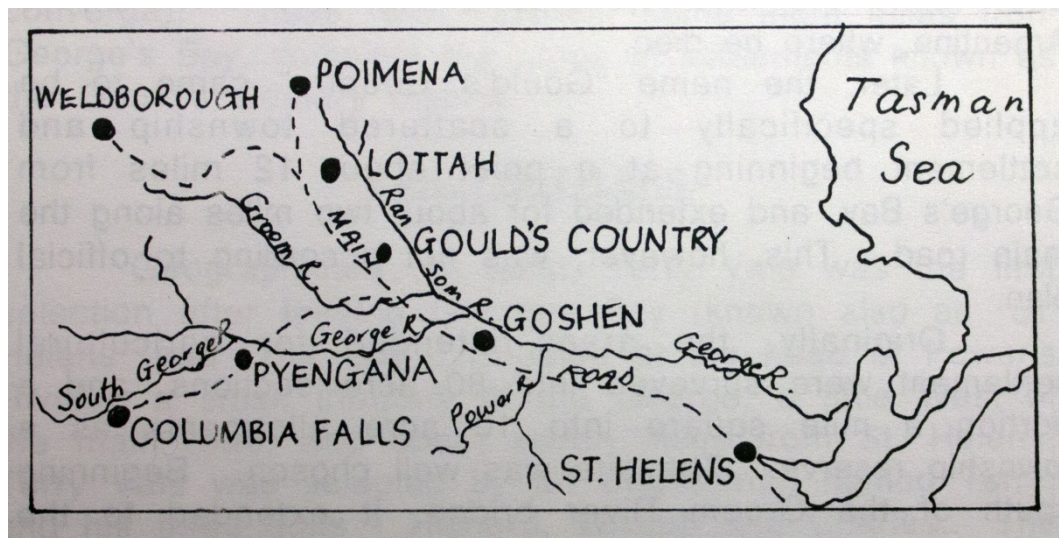
Goulds Country was important as an overnight stop for prospectors on the way to the mines and as part of the supply line between the port at Georges Bay and the emerging mining towns of Thomas Plains (Weldborough), Lottah, and Poimena. Lottah and Poimena no longer exist, but their location in relationship to Goulds Country can be seen from Fitzgerald's sketch, Map 7.5.

---

<sup>95</sup> Ireland, *Pioneering*, pp 48-9, 54-6.

<sup>96</sup> Baade and Banks, *Johnson Family*, p 4; Fitzgerald, *Conquerors*, p 7.

Map 7.5: Goulds Country: Fitzgerald's Sketch



Source: WG Fitzgerald, *Conquerors of the Rugged North East*. Originally published as a Saturday serial in the *Launceston Examiner*, beginning 5 March 1955 ed.: St Helens History Room, Tas, 1955, p 2.

With large numbers of travellers on the road, the first need was for accommodation. John Trowbridge left his pub at the Black Boy mine, took a selection next to Alexander Johnston's, and built a hotel, the *Travellers' Rest*. This was controversial in the tight-knit Protestant community, but, although selectors objected, the licensing committee gave in and granted the licence when they saw prospectors camped on the open ground.<sup>97</sup> Mark Ireland arrived with three mates just days after Trowbridge's pub opened to find they could get neither a bed nor a drink. The furniture had not been delivered and miners from the Blue Tier had 'drunk the place out and were walking around in the horrors'. Alexander Johnston had opened a guest house in opposition, and Ireland's party stayed there.<sup>98</sup>

<sup>97</sup> 'Court of General Session', *Mercury*, 10 June 1876, p 3.

<sup>98</sup> Ireland, *Pioneering*, p 49.

Trowbridge's first hotel was damaged by fire early in the twentieth century but rebuilt on the same site. The photograph used by Chapman (Image 7.3) is undated, but the building shows the shingle roof and the slanting boards on the attic windows used in the early twentieth century. Since the photograph shows both electricity and television connected to the building, it may have been taken by Chapman in the late twentieth century. The hotel still stands today, but is now in the heart of a dairy farm. It was restored recently and continues to provide accommodation as the Goulds Country Guest House.

Image 7.3: Trowbridge's Hotel



Source: Jennie Chapman, *Benjamin Smith: My Passage in Time, 1835-1927*, (Caboolture, Qld.), p 247.

Miners also needed tin packers and carters. Alexander Johnston and Peter Yost established carrying businesses, and a transport depot grew up at Johnston's

selection.<sup>99</sup> The tin packers brought ore from Thomas Plains and Lottah to Johnston's for collection by the carters who carried it the next stage to the ketches waiting in Georges Bay.<sup>100</sup> Some of the teamsters employed in Yost's carrying business became permanent residents. Fred Reeve and John Whitmore, previously timber men from the Huon Valley, married the Apted sisters, Emily and Ann. The Reeves settled at the new mining town of Branhholm, and the Whitmores occupied a cottage on James Gunyon's property.<sup>101</sup>

The failure of successive ministries to introduce works programs during the seventies has been discussed in Chapter Five, and Goulds Country provides a prime illustration of the consequences of this failure. Miners, like selectors, needed roads. In the first instance, they used the pack tracks cut for the first settlers, but, where these were non-existent, they simply took control of the local resources and built the tracks themselves, in the same way the first track was opened up from Thomas Plains to Goulds Country. By 1875, the first road built to service the agricultural area had deteriorated, through a combination of poor foundation and increased traffic from the mines. The carters banded together to repair it, at the same time repairing the original wooden bridge over the George River.<sup>102</sup> This was not an isolated case. The *Mercury* reported that roads in the district would have been entirely impassable without the money and labour put into them by the mining population.<sup>103</sup>

---

<sup>99</sup> 'Notes on the East Coast', *LE*, 6 May 1876, p 3; Fitzgerald, *Conquerors*, p 15.

<sup>100</sup> 'Notes on the East Coast', *LE*, 6 May 1876, p3.

<sup>101</sup> Fitzgerald, *Conquerors*, pp 47-8; Assessment Roll for Portland, 1882, p 463.

<sup>102</sup> 'Notes on the East Coast', *LE*, 6 May, 1876, p3.

<sup>103</sup> *Mercury*, 6 July 1877, p 2.

In 1876, with an estimated six hundred men and two hundred horses working the tin in the Georges Bay hinterland, the government began work on the Goulds Country roads.<sup>104</sup> Ongoing projects across the next six years provided opportunities for selectors to contract for the work.<sup>105</sup> In 1877, Richard Apted and Isaac Chapple won the tender for works on the road from Georges Bay to Goulds Country.<sup>106</sup> Not everyone prospered. Road building almost bankrupted the Smiths. Chapple and Apted suggested to their friend, Benjamin Smith, that he could earn one guinea a day carting timber for them if he could buy two horses. The selectors had struggled to grow grass and produce hay, so horses were expensive and in short supply, but in 1876, regular horse sales began at St Helens, with dealers bringing in stock from the south.<sup>107</sup> Smith borrowed the purchase money privately, and Henry Wise built him a dray, but, before the horses were ready for the work, Chapple and Apted purchased their own horses. This left Smith with no work, a debt of £100, and two horses to feed. He sold one horse in order to repay one loan, and negotiated with his other lender, local farmer Mr. Legge, to repay the other debt later.<sup>108</sup>

With the opening of the post office and money order office at Alexander Johnston's selection, as well as the carting business, Johnston's selection began to

---

<sup>104</sup> 'Georges Bay', *LE*, 26 October 1876, p 3; *Mercury*, 6 July 1877, p 2.

<sup>105</sup> 'Official Notices', *LE*, 6 April 1881, p 2, 'Blue Tier Junction', *LE*, 21 April 1882, p 3.

<sup>106</sup> 'Official Notices', *LE*, 28 June, 1877, p 3.

<sup>107</sup> 'Georges Bay and Goulds Country', *Mercury*, 26 October 1876, p 3.

<sup>108</sup> Chapman, *Benjamin Smith*, pp 29-30.

take on the functions of a town centre.<sup>109</sup> Alexander and Murdoch Johnston opened stores at the mines, and Richard Apted, in partnership with William Henry Fitzgerald, operated a butcher shop from a store at Johnston's selection.<sup>110</sup> This explains why the town of Goulds Country developed near Johnston's selection, rather than in the reserve of Kunnarra. In the late seventies there was still only one building on the town reserve, the little wooden chapel built by the selectors.<sup>111</sup>

With the arrival of the post office, selectors had the chance to profit from the mail contracts for the delivery into the mining towns. Benjamin Smith and Alexander Johnston alternated as contractors. Smith already had one horse and a load of hay from a good season when he won his first contract. It enabled him to clear his debts, and to buy Henry Wise's farm next door, which he worked on his own. He grew grain successfully, but the problem was still to find a market. By the time he won his third mail contract, the road went through to the tin mining district at Moorina, and Smith added to his business by purchasing fish in St Helens when he collected the mail, and selling it in the mining communities. He also delivered parcels and passengers, eventually selling his interest in passenger transport to the well-known Tasmanian coaching firm, Pages Coaches.<sup>112</sup>

Another way for selectors to profit from mining was by sub-letting portions of the selections, with or without a dwelling. By 1878, Alexander Johnston had three

---

<sup>109</sup> *Mercury*, 21 May 1872, p 2; 27 June 1876, p 2, 4 July 1876, p 2; Baade and Banks, *Benjamin Smith*, p 4.

<sup>110</sup> Assessment Roll for the District of Selby for 1878, *HTG*, 6 November 1877, pp 1024, 1073.

<sup>111</sup> 'Notes on the East Coast', *LE*, 6 May 1876, p 3.

<sup>112</sup> Chapman, pp 30-32.



tenants each on one acre. Murdoch Johnston had established an orchard, but his land had always been noted for its immense timber.<sup>113</sup> This was not ideal land for farming, so he added to his mining activities by subletting four lots, each less than one acre. One of his tenants was the government surveyor, Alfred Hall, who established a garden and raised a family of five there.<sup>114</sup>

Only a small number of the original timber buildings of the Goulds Country township survive. Image Figure 7.4 shows one of the old shops on Alexander Johnston's selection.

Image 7.4: Building at Alexander Johnston's Selection



Source: B Meikle, 11 April 2013.

---

<sup>113</sup> Fitzgerald, *Conquerors*, p 17.

<sup>114</sup> Fitzgerald, *Conquerors*, p 16. Although Fitzgerald identified Hall as a selector, the valuation roll for Selby shows Hall was a tenant of Murdoch Johnston. Assessment Roll for the District of Selby for 1878, *HTG*, 6 November 1877, p 1074.



In its heyday, this strip of Lottah Road was a bustling village centred on the carrying businesses, the post office and the various stores. The only image found of this complex is undated (see Image 7.5). The shop was run by Ernest and Willis Hall, the sons of surveyor Alfred Hall.<sup>115</sup> According to Fitzgerald, the driver of the wagon was Franz (Frank) Kohl. Kohl, and the Jestrinski family, arrived in Australia on the *Procida* from Hamburg in September 1885 and selected land at Goulds Country.<sup>116</sup> These new arrivals settled in the district known as Upper Georges River (now the dairying district of Pyengana) and their families became long term residents in the area. Unfortunately, Fitzgerald's identification of the driver does not provide dating evidence, because both Franz and his son were known as 'Frank'.<sup>117</sup>

---

<sup>115</sup> Fitzgerald, *Conquerors*, pp 15-6; *Examiner*, 23 January 1924, p 1.

<sup>116</sup> Arrivals, CB7/12/1/14 p 5, TAHO.

<sup>117</sup> Jacob Jestrinski farmed there until his death in 1921, *Examiner*, 23 April 1921, p 1; Frank Kohl was still living there when his son, Frank, married in 1924, *Examiner*, 23 January 1924, p 1.

Image 7.5: Ernest Hall's Shop



Source: W G Fitzgerald, *Conquerors of the Rugged North East*, originally published as a Saturday serial in the *Launceston Examiner*, beginning 5 March 1955, (St Helens History Room, Tas., 1955), p 15.

Farming was not abandoned even though servicing the mining industry was more lucrative. When it was time to sow or harvest, the selectors simply let the tin pile up until they had finished on the farms, and tin output for the district fell accordingly.<sup>118</sup> But the crop cycle continued to be unpredictable. In the late seventies, the crop was poor, but, in the way of Australian agriculture, everyone suffered the same fate and the shortage forced prices up. With chaff selling at £8 per ton, Smith sold enough hay at the inflated price to repay his loan to Mr Legge. The next year, there was a bumper crop of hay, but everyone had it that year, so

<sup>118</sup> 'Georges Bay and Goullds Country', *Mercury*, 6 September 1876, p 3.

there was no market for it.<sup>119</sup> Smith wisely stacked his hay for the future to feed his horses.

Mining brought a new population and the settlers felt the difference. Fitzgerald thought farmers 'sought to put wealth back into the soil, and remain permanently' but 'the miners' object was to take out wealth already there, and get out'. As a result, farmers were 'staid', and miners were 'volatile'.<sup>120</sup> The *Mercury* was less charitable. Following an attempted break in at Trowbridge's hotel in October 1876, it reported that in their early days, all mining fields were 'the resort of the lowest classes of society', and it argued for a policeman for Goulds Country.<sup>121</sup> There may have been some justification in these claims, for one afternoon in June the following year, John Trowbridge was assaulted on his way to church by a drunk who came out of a rowdy group on the street. The assailant was detained by the new policeman, and the Bench, determined to 'put down larrikinism in the district', sentenced the assailant to two months' hard labour.<sup>122</sup> John Trowbridge died suddenly just five months later; his obituary was provided by the correspondent from his old home at Mathinna, not the Goulds Country settlers.<sup>123</sup>

Following the discovery of tin, the Chinese arrived. Neither Smith nor Fitzgerald mentioned this in their memoirs, although Fitzgerald reported that miners of many

---

<sup>119</sup> Chapman, *Benjamin Smith*, pp 29-31.

<sup>120</sup> Fitzgerald, *Conquerors*, p 36.

<sup>121</sup> 'Georges Bay and Goulds Country', *Mercury*, 26 October, 1876, p 3.

<sup>122</sup> 'Georges Bay and Goulds Country', *Mercury*, 26 June, 1877, p 3.

<sup>123</sup> 'Mathinna –Black Boy', *Mercury*, 11 December, 1877, p 2.

nationalities lived in the new town of Poimena, at the Blue Tier.<sup>124</sup> Most Chinese settled close to Goulds Country, around Thomas Plains (now Weldborough). Joan Scott found that, by 1881, there were over 800 Chinese in Tasmania, most concentrated in the north east.<sup>125</sup> The first mention in the press of the Chinese at Goulds Country is in a report of an assault on a group of Chinese. Employed to work for the All Nations mine, they were attacked while travelling towards the mine. They returned to Trowbridge's hotel, seeking help, but the publican was unable to protect them from further violence there. The *Launceston Examiner* was outraged by this exhibition of 'vulgar, despicable prejudice'.<sup>126</sup> During these years, the Chinese community kept to their traditional religion and culture, and this possibly accounts for the failure of Smith and Fitzgerald to comment on them.

One group about whom we know very little is the womenfolk, since the narrators were all men. We do know the women had large families, and without access to medical assistance. Frances Smith had twelve children, and gave birth to Gouldina just three months after they arrived at the selection. There were no mishaps; Gouldina (Goldie) lived to be ninety years of age and her home for the first twenty years was the cottage in the forest where, in the words of Benjamin Smith, 'the walls were so thick and the forests so dark and wet that the sun scarcely shone in for more than five minutes in the day'.<sup>127</sup> Richard Apted's eldest daughter, Ellen, was the first Goulds Country bride, marrying William Joseph

---

<sup>124</sup> Fitzgerald, *Conquerors*, p 41.

<sup>125</sup> Joan Scott, *Celestial Sojourn: the Chinese on the Tin Fields of North East Tasmania*, (Daylesford, Vic., 2008), p 17.

<sup>126</sup> *LE*, 8 August, 1876, p 2.

<sup>127</sup> Chapman, *Benjamin Smith*, pp 27, 37.

Fitzgerald in 1874. They raised six of eight babies in a cottage built on the Fitzgerald selection, and their first son, William George, compiled the selectors' stories.<sup>128</sup>

Some women had opportunities outside the farm. Their work in the church was valued, with Harriet Fitzgerald junior and Frances Smith teaching Sunday school alongside William Joseph Fitzgerald, and Isaac Chapple from Goshen.<sup>129</sup> In 1880 Harriet Fitzgerald junior was appointed assistant teacher at the Goulds Country School.<sup>130</sup> Clara Trowbridge worked in the hotel, and, after her fathers' unexpected death, held the licence until her brother took over.<sup>131</sup>

The children of Goulds Country were generally healthy, but, with the nearest doctor sixty miles away at Fingal, when diphtheria broke out at Goulds Country, nothing could be done to save the lives of several of Peter Yost's daughters.<sup>132</sup> The newspapers are not clear about how many of the Yost children died in the outbreak, but the headstone records three deaths in the month of the diphtheria outbreak. See Image 7.6.

---

<sup>128</sup> Fitzgerald, *Conquerors*, p 25.

<sup>129</sup> Fitzgerald, *Conquerors*, pp 28- 32.

<sup>130</sup> 'Board of Education', *LE*, 25 June 1880, p 3.

<sup>131</sup> Assessment Roll for Portland 1882, p 463; Fitzgerald, *Conquerors*, pp 13-4; *Mercury*, 22 November 1877, p 1.

<sup>132</sup> *Mercury*, 23 August 1880, p 3; *LE*, 20 May 1880, p 3.

Image 7.6: Goulds Country Cemetery: Yost Family Grave



Source: B Meikle, 11 April 2013.

Frontier life could be dangerous. Clara Trowbridge was shot by one of the patrons while she was working in the bar, but the bullet passed through the neck and she survived.<sup>133</sup> Peter Yost's wife, Maria, died in a carriage accident while shopping in St Helens, the year after the diphtheria outbreak.<sup>134</sup>

<sup>133</sup> *Mercury*, 9 March 1877, p 2.

<sup>134</sup> *LE*, 19 September 1881, p 2; Fitzgerald, *Conquerors*, p 11.

The prosperity at Goulds Country fuelled growth in the surrounding region. A traveller reporting for the *Mercury* in 1889 was struck by the progress at Georges Bay. St Helens now boasted a tree-lined main street with three well-appointed hotels, a Commercial Bank, post and telegraph offices, a sailing club and a cricket club. The Treloggan family still ran the old dairy farm at *Martha Vale*, but the town had grown so much the farm was now really in the suburbs. The little store the settlers had first relied on was now an emporium with branch stores, butcheries and bakeries throughout the mining districts. Its owner, J C McMichael, was described as ‘public spirited and liberal’.<sup>135</sup>

What did the selectors do with their new found prosperity? Most paid off their first selections and invested in more land. Peter and Christopher Yost did so, and Christopher joined Alexander Johnston on the Goulds Country Road Trust.<sup>136</sup> By the late seventies, Alexander Johnston owned two blocks in Goulds Country and was paying off a third.<sup>137</sup> He had sufficient to donate land for the new school and for St Gabriel’s Anglican Church, dedicated in 1912.<sup>138</sup> St Gabriel’s still stands and is permanently listed in the Heritage register.<sup>139</sup>

---

<sup>135</sup> ‘St Helens and Georges Bay’, *Mercury*, 9 January, 1889, p 3.

<sup>136</sup> Assessment Roll for the District of Selby for 1878: Georges Bay Portion, *HTG*, 6 November 1877, p 1076; ‘Goulds Country Road Trust’, *Mercury*, 20 November 1891, p 4.

<sup>137</sup> Assessment Roll for the District of Selby for 1878: Georges Bay Portion’, *HTG*, 6 November 1877, pp 1072-6.

<sup>138</sup> Baade and Banks, *Johnson Family*, pp 4-5; *LE*, 5 December 1892, p 3; ‘Gould’s Country’, *Examiner*, 16 July 1912, p 6.

<sup>139</sup> Heritage Tasmania, [http://www.heritage.tas.gov.au/media/pdf/THR\\_2013\\_07\\_17.pdf](http://www.heritage.tas.gov.au/media/pdf/THR_2013_07_17.pdf), accessed 8 October 2013.

Image 7.7 shows Alexander Johnston standing at the door of St Gabriel's. Although the photograph is undated, it was taken sometime between 1912 when the church was dedicated and July 1914 when Alexander died. Behind Alexander lie the hills along the way to Murdoch Johnston's selection. The dying forests in the background may be the result of the land clearing practices of the pioneers, but the possibility that this was the result of a bushfires cannot be ruled out. In 1914, a fire through this district burnt out Murdoch's selection.<sup>140</sup> No dating evidence for this fire has been found but press reports show there were droughts and fires across Tasmania in the summer (February and March) and again in October of 1914.<sup>141</sup>

---

<sup>140</sup> Baade and Banks, Johnson Family, p 4.

<sup>141</sup> 'February's Weather', *Mercury*, 5 March 1914, p 7; 'The Heat Wave', *Mercury*, 9 October 1914, p 3.



Image 7.7: Alexander Johnston at St Gabriel's Anglican Church



Source: Johnston Folder, St Helens History Centre.

Although Benjamin Smith now worked both his own farm and the selection formerly owned by Henry Wise, there was still no money to be made from farming, and he sold one selection in 1890 for £150 and moved, with his family of now ten children, back to the Midlands. The only one of the Smith children to live on at Goulds Country was the eldest son, Edgar, with his wife Ada and family. They occupied a new cottage on Smith's selection after the original one burnt down, and Edgar worked in the mines. They had eight children, before the family moved to Zeehan in 1903. Within a generation, most of the Smiths were established in Victoria. Their family history survived because when they left

Goulds Country, the Union Church presented them with a family bible which succeeding generations maintained and preserved.<sup>142</sup>

## **Depression and recovery**

The selectors continued to farm, but they had hitched their wagons to a tin star, and when commodity prices fell on the London market at the end of the eighties, and Tasmania's longest running bank, the Bank of Van Diemen's Land, collapsed in 1891, they once more faced starvation.<sup>143</sup>

Local factors at Goulds Country exacerbated the depression. The Anchor tin mine closed, with men thrown out of work, and the individual miners working their own small lots, men like Murdoch Johnston, could no longer sell their tin.<sup>144</sup> Great hopes were held for a new mine, the Australian (or Puzzle mine as it was sometimes called), a joint venture between Mrs Gunyon's nephew, Arthur Hodge, William Henry Fitzgerald's youngest son, Jim, and Richard Norton, an investor from Oatlands. William Joseph Fitzgerald had the contract to transport the new roller crushing mill that was to be used instead of the traditional stamper battery. The Australian Puzzle mine remained unsuccessful.<sup>145</sup>

---

<sup>142</sup> Chapman, *Benjamin Smith*, pp 30-7, 105.

<sup>143</sup> *LE*, 14 January 1890, p 3; 'Bank of Van Diemen's Land', *Mercury*, 23 September 1891, p 3.

<sup>144</sup> Fitzgerald, *Conquerors*, pp 65-6.

<sup>145</sup> Fitzgerald, *Conquerors*, pp 9, 54, 66; *Mercury*, 17 August 1896, p 4, 28 January 1897, p 4.

For years, the district had relied on extended credit given by the store at St Helens. During the mining boom, the business had extended its operations to many branch stores in the district. In 1889, the store owner, J C Macmichael, died suddenly, and his executors were not nearly so generous.<sup>146</sup> A drought in the middle of the nineties further reduced output from the tin mines, caused crop failures and exacerbated bushfires. In St Helens, water supplies ran out and people resorted to drawing water from the old, polluted wells. With insufficient water to extract the tin, the value of mining leases fell.<sup>147</sup>

Once again, starvation stalked Goulds Country. William George Fitzgerald remembered his grandfather having a field of potatoes ready to dig, and instead inviting hungry folk to come and take what they needed. He also recalled the case of a whole family evicted from their home at Pyengana, walking in desperation all the way to Goulds Country, where the Fitzgeralds provided a rent free cottage and organized food supplies. Commenting in 1955 on that depression in Goulds Country, W G Fitzgerald observed

As a Presbyterian minister, I have since witnessed the most tragic scenes, in both city and country. During the Depression of some twenty years ago [1930s], I, with two others, comprised the executive for dispensing relief in my district. But never have I witnessed anything so helpless and hopeless as that experienced in my middle teens.<sup>148</sup>

---

<sup>146</sup> *Mercury*, 18 May 1889, p 1; Fitzgerald, *Conquerors*, pp 65-6.

<sup>147</sup> 'Mines Department: Reports of Commissioners', *LE*, 19 August 1895, p 7; *Mercury*, 11 July 1894, p 3, 24 January 1895, p 3; *LE*, 20 February 1895, p 3.

<sup>148</sup> Fitzgerald, *Conquerors*, p 67.

The Tasmanian government began a program of relief works. It advanced money to local authorities for works, and passed bills for extended relief works in 1894.<sup>149</sup> Still the depression lingered. In 1893, the Premier, Henry Dobson, accompanied by a number of parliamentarians, toured the district. Dobson was struck by the extent of good pastoral and dairying land between Goulds Country and Ringarooma, which was not available for selection because it had been reserved for mining. He thought this policy had retarded progress in the district and the land should be thrown open for selection to open up this 'magnificent grass and dairy country'.<sup>150</sup> Initial recovery depended, however, not on more selections being established, but on recovery in the existing industry.

The price of tin did not begin to rise until mid-1898, but the depression forced changes in the mining industry. In 1896, overseas investors bought into the Anchor tin mine and construction began on a new plant. Tin prospectors began working again in north east Tasmania.<sup>151</sup> The rains came, and plans were under way for the construction a butter factory in the Moorina district.<sup>152</sup>

Many people left the district during the nineties. Richard Apted and his son, Dick, moved to Launceston and William Henry Fitzgerald left Goulds Country in 1899. William Joseph Fitzgerald and his wife lived to old age in Longford.<sup>153</sup> Peter Yost

---

<sup>149</sup> *LE*, 23 November 1892, p 3; 26 May 1894, p 5.

<sup>150</sup> 'The Recent Ministerial Trip', *LE*, 12 April, 1893, p 6.

<sup>151</sup> *LE*, 9 August 1898, p 3.

<sup>152</sup> 'Moorina', *Mercury*, 22 April 1897, p 3.

<sup>153</sup> Fitzgerald, *Conquerors*, pp 28, 50-1, 78.

(senior) left to lease a dairy farm at Pyengana.<sup>154</sup> After the Fitzgerald parents died, their son Walter lived in the house, until it passed to Tom Hall, who married one of the Yost girls.<sup>155</sup> Descendants of the Apteds, Fitzgeralds, and Yosts remained around northern Tasmania and Goulds Country.<sup>156</sup> The Johnstons stayed on; when the Goulds Country post office closed in 1964, it had operated under an unbroken line of Johnston postmasters. Descendants of James Johnston remained on their property, 'Clifton', until 1993.<sup>157</sup>

Prosperity returned to Goulds Country in the twentieth century with the recovery in the price of tin and the injection of capital by British investors, but this lasted only as long as the tin.<sup>158</sup> Eventually, the selections were subsumed either into larger dairying operations or into the State forest reserves.<sup>159</sup> The 'Bog', which had kept the selectors supplied with fresh eels, silted up with polluted sand from the mines upstream.<sup>160</sup>

## Conclusion

All that remains at Goulds Country is a small collection of old timber buildings, surrounded by dairy farms, so was it a success? Benjamin Smith thought the twenty years spent there were a hard struggle and not a financial success, but both

---

<sup>154</sup> 'Pyengana', *LE*, 19 November 1892, p 5.

<sup>155</sup> Fitzgerald, *Conquerors*, pp 11-2.

<sup>156</sup> Fitzgerald, *Conquerors*, pp 11-2, 47-51, 78.

<sup>157</sup> Baade and Banks, *Benjamin Smith*, pp 4-7.

<sup>158</sup> *Mercury*, 28 January 1897, p 4; *LE*, 9 August 1898, p 3; Fitzgerald, *Conquerors*, p 70.

<sup>159</sup> Land District Chart: Dorset 5c, 1932, Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania.

<sup>160</sup> Fitzgerald, *Conquerors*, p 23.

he and William George Fitzgerald valued the church and community life the selectors had created through the Sunday school activities. Fitzgerald maintained those contacts long after he had left the district.<sup>161</sup>

Peter Burroughs said that the success or failure of the British land regulations in Australia depended in the long run on 'the realities of local conditions'.<sup>162</sup> This applies equally to the settlement at Goulds Country. The selectors never really managed to create the type of agricultural area the government had envisioned. It did not matter how rich the soil might be, without markets for local produce and transport to access these, agriculture was doomed to fail. Without the development of the mines, Goulds Country might have been abandoned.

The same might be said of many of the small farms established across northern Tasmania under the Waste Lands Acts, particularly those of the north-west studied by Stokes.<sup>163</sup> On the other hand, the existence of a settlement of hard-working and enterprising pioneers at Goulds Country undoubtedly facilitated the development of the tin mining industry in the region, something the Tasmanian government had shown little interest in doing. The settlement also encouraged other settlers into what later became the rich dairying country around Pyengana, just as Edward Warland had encouraged early settlers in the 1860s.

---

<sup>161</sup> Chapman, *Benjamin Smith*, p 33; Fitzgerald, *Conquerors*, p 28.

<sup>162</sup> Peter Burroughs, *Britain and Australia 1831-1855: A Study in Imperial Relations and Crown Lands Administration*, (Oxford, 1967), p 6.

<sup>163</sup> H J W Stokes, 'North-West Tasmania 1858-1910: The Establishment of an Agricultural Community', PhD, Australian National University, 1969.

Although Goulds Country is just a small region in the smallest state in Australia, the study of its history has shown how government decisions taken even at this level can have a social and economic impact far beyond the local region. If the Tasmanian government had opened the agricultural area at Goulds Country as planned in 1863, there is every possibility that the tin might have been discovered earlier and brought about economic recovery in 1865, instead of 1875. If members of the Legislative Council had been statesmen or entrepreneurs, and capable of rising above their own interests, the roads needed by the tin mines of north-east Tasmania might have been constructed. The resultant growth of new mining towns may in turn have fuelled earlier expansion of the dairying and livestock industries in north east Tasmania and stimulated immigration.

It is clear that the government failure to provide roads slowed the development of tin mining in north east Tasmania by at least a decade and created unimagined hardship for the selectors. Goulds Country had been a success because the selectors were determined, independent, flexible in their approaches to business, and possessed of the skills to live in the Tasmanian bush. Most of all, it had been a success because they took with them a ready-made community, and they continued to invest in that community while they lived there.

## Conclusion

This thesis set out to examine the Waste Lands Acts of Tasmania because there was initial evidence to suggest that the colonial land legislation in Tasmania was different from that of the other Australian colonies. It posed the following four questions. What were the perceptions, values and ideas held about land in Tasmania during the period studied here? What were the relationships between economic wealth and political power? What factors limited economic, social and political progress in Tasmania during this time? What was life like for those who had neither wealth nor political power, those who selected small farms under the Waste Lands Acts?

It found that the values held about land determined the way the Waste Lands Acts were developed. In Tasmania, there was no democratic land agenda, such as drove the land legislation in the other Australian colonies, or in other parts of the British Empire. Instead, the land legislation was driven by ideas associated with the Enlightenment concept of improvement of land. This belief that land was improved by the application of labour and capital provided a rationale for surveying the land into small lots and selling it off to settlers who would cut out the timber regardless of whether they could obtain a financial return for it or not. They would improve it by draining the marshes and cultivating European food crops. The idea of improvement, along with the belief that agriculture was a



superior form of improvement, drove the land selection provisions of the legislation.

The belief in improvement was closely connected with the belief that a large population was necessary for prosperity. This led the government to abandon its bounty immigration system for recruiting workers in the early 1860s, and replace it with a scheme to attract immigrants by providing land grants or land orders to immigrants who paid their own fare. Although the scheme attracted some immigrants who made significant long-term contributions to Tasmania, it never attracted the large numbers of immigrant farmers the government hoped for and it was abandoned at the beginning of the 1880s. The administrative muddle caused by the scheme was still the subject of legislation into the 1890s.

The belief in improvement was mediated by other values, the most influential of which was the idea held by the Tasmanian gentry (the pastoralists), who saw themselves as the first improvers of the land, heroic settlers battling drought, fire, and hostile indigenous people to establish civilization. On the basis of this belief, they argued that they should be given preference in continued ownership of the land. This belief brought them into conflict with the improvers. At the same time the gentry watched in horror as the parliaments of Victoria and New South Wales were reformed under universal manhood suffrage, and the new men in parliament challenged the right of the squatters to the land.

This thesis has shown that the interests of squatters and government were inextricably interwoven from the earliest days of settlement in Van Diemen's Land, and, following self-government, the pastoral interests dominated government for more than thirty years. Cronyism was the primary *modus operandi* of successive Tasmanian ministries, which strove to protect pastoral interests by quarantining the runs from selection by small farmers, by ensuring government expenditure was concentrated in the pastoral districts at the expense of the newly-developing regions, and by protecting the pastoral interest from taxation on its income and profits. Cronyism enabled the pastoralists to purchase large tracts of land under the *Waste Lands Act 1863* at the reduced rate of five shillings per acre and allowed them to avoid payment for more than twenty years on the quiet enjoyment lands which they continued to occupy. Cronyism prevented the government collecting debts on pastoral land and ensured the Survey Department did not re-let lands where pastoralists had not paid their rental. This left the land open to occupation by the squatters, with no return for the government.

The pastoralists made repeated attempts to gain control of the Lake Country. Although they failed to obtain the right to purchase large tracts at nominal prices, their use of the Lake Country as a sheep run mortgaged the future against short-term private gain. More than a century of pastoral occupation denuded the Lake Country of vegetation and the subsequent soil erosion prevented the re-establishment of plant communities. The erosion problems were exacerbated by the farmers' practice of frequent burning off to encourage 'green pick' for sheep,

combined with the policy of deliberate overstocking to starve the sheep to produce 'hunger fine' wool. Until myxomatosis was introduced in mid-twentieth century, rabbits were in plague numbers.<sup>1</sup> These factors eventually reduced the profitability of highland grazing. By the late twentieth century, the lakes were also in demand for electricity generation and for recreational use. It was recommended in 1972 that the highland areas of the Central Plateau be reserved from pastoral use.<sup>2</sup>

The beliefs about land were mediated by the other major concern for all Tasmanian governments, money. As the economy contracted in the long depression, maximising land revenue overrode other considerations. Requirements for residence and improvement of the land, such as existed under the *Homestead Acts* in the United States, or the *Duffy Land Act* in Victoria, did not exist in Tasmania. Selection by minors and non-residents, illegal in Victoria, was always permitted under the Waste Lands Acts in Tasmania. In some years during the long depression, land sales and leases contributed almost thirty per cent of the revenue. The only financially viable alternative, to tax wealth, was not attempted until the reform ministries of the 1880s.

In examining the relationship between economic wealth and political power, this thesis found that as the other Australian colonies moved towards a more

---

<sup>1</sup> Rabbits prefer the short lawn created by grazing sheep, and so moved into the pastoral districts once this was established. Jamie Kirkpatrick, 'History', in J Kirkpatrick, and Kerry Bridle, eds, *People, Sheep and Nature Conservation: The Tasmanian Experience*, Collingwood, Vic., 2007), pp 21-3.

<sup>2</sup> R R Shepherd, 'Land Use', in *The Lake Country of Tasmania*; a Symposium arranged by the Royal Society of Tasmania, (November 1972), pp 165, 171.

egalitarian society, Tasmanian society remained sharply divided between the few who had both wealth and power, and the majority who had neither. Land ownership was the key to maintaining this distinction. Without ownership of the means of production, the poor were constantly shut out from opportunities to access wealth and power by the pastoralists, who strove to keep what they held in the face of emerging democratic trends in the rest of Australia. As their control of their pastoral leases in Victoria and New South Wales eroded under the new colonial land legislation, Tasmania's gentry used every tactic they could in the government they controlled to ensure the same did not happen in Tasmania.

The gentry were able to maintain their power base and their access to resources because the high franchise, based on property ownership, was never seriously challenged in Tasmania before federation. This thesis showed that, even after the reforms of the 1880s, most of those eligible to vote held the franchise on the basis of property ownership and fewer than 1,000 men held the franchise for the House of Assembly based on their salary. This helps explain why so many Tasmanians were prepared to select land from which they might never make a profit.

This thesis has also shown that the gentry, having built their enterprises on subsidies, salaries, free land and cheap labour supplied by the Imperial government under the convict system, were unable to move away from this economic dependence after self-government. They expected to have continued access to government resources regardless of the needs of the country, and they

expected not to have to contribute to the economy either by paying taxes or purchasing debentures. The entrenched cronyism, in parliament, in the executive, and in the public service, allowed the gentry to constantly allocate the scarce government resources for the benefit of their own districts. It was not until the reform ministries of the 1880s that parliamentary members such as William Moore, Edward Braddon and Bolton Stafford Bird were able to secure funding for new districts being settled under the Waste Lands Acts.

What factors limited economic, social and political progress? This thesis has shown that the long economic depression following self-government was the result of a mix of external and internal forces. It was triggered by the global financial crisis of 1857 which caused a fall in the price of the export staple, wool. This impacted on an economy already weakened by falling demand and lower prices for grain and timber in the Australian colonial markets, and by the reduction in British expenditure following the cessation of convict transportation. The development of agriculture, seen as the great improvement promoted under the Waste Lands Acts and the immigration schemes, was hampered by lack of government investment in transport infrastructure, by the high costs of clearing the heavily forested lands, by falling prices as the other Australian colonies developed their agricultural industries, and inter-colonial tariffs which protected farmers in the other colonies. During the 1860s and 1870s, successive ministries responded to the crisis with retrenchment and austerity measures which exacerbated the problems and led to further administrative muddle. The removal of the position of Surveyor-General in 1870 left the Survey Department without

professional leadership and, with no standards to guide surveyors, mistakes increased. This hardly mattered while the pastoral industry dominated land use, but surveying mistakes became expensive as the mining industry developed.

The economic and political control exerted by the gentry was disastrous for the emerging Tasmanian economy and for the majority of Tasmanians, the poor workers. The gentry denied the selectors and small farmers in the developing regions access to funding for infrastructure. In the long run, this delayed the development of agriculture and the discovery of the mineral resources, and thereby prolonged the economic depression.

Throughout the nineteenth century, Tasmanian pastoralists continued to run their stock on land for which they paid no rent. Cronyism and muddle combined to make it impossible to determine when land was legitimately occupied. As a result, there was no accounting for the true costs of the pastoral industry and the Tasmanian government was never able to collect the full sums it was entitled to under the terms of the pastoral leases. As late as the 1970s, Shepherd found that cronyism and muddle still prevailed in the administration of the pastoral licences in the Central Plateau. The government re-let pastoral leases without prior inspection of the lands. It made no attempt to regulate stock numbers in the Lake Country, and the lessees, who claimed that the short-term leases were a disincentive to improve the land, did not manage the leases for the long-term benefit of the land. They had been saying that for more than a century and a half,

but they still occupied the land. Furthermore, Shepherd reported that no action was taken against stock straying and grazing illegally on Crown Lands, so ‘the grazier has been given virtually free rein over a valuable catchment area.’<sup>3</sup> The Waste Lands Acts had enshrined squatting in Tasmania.

The land itself imposed limitations on human endeavour. The pastoral industry had reached the limits of ecological sustainability by the 1850s, and the pastoral land rush that followed the *Waste Lands Act 1858* and the *Waste Lands Act 1863* brought no financial return. Agriculture was limited by the rugged and heavily forested land that remained for selectors. It was also limited by inadequate technology including lack of modern equipment, lack of controls for pests and diseases, and the selectors’ lack of appropriate education.

Although the gentry owned most of the accessible arable land and controlled the government, they yet wasted their capital, spending it to extend their estates in their pursuit of the dream of ownership of the grand country estates. Poor husbandry techniques, environmental limitations, and fluctuating economic conditions meant they were unable to realise any return on their investment, except during a few good years in the trade cycle in the early 1870s. This left them without the capital to make the improvements necessary to reduce the impact of liver fluke disease. It also left them without capital to diversify their

---

<sup>3</sup> Shepherd, ‘Land Use’, pp 165-70, 172.

enterprises and investments, a long-term problem in an economic climate where wool prices continued to fall.

What was life like for the selectors under the Waste Lands Acts? This thesis has shown that, for much of the period studied here, agriculture was not profitable. Prices were just too low and there were limited local markets. Many selectors had, or quickly learned, a range of useful bush skills that enabled them to earn a subsistence living for their families on their land. The case studies in this thesis have shown that it was a life of immense physical hardship, for the men who cut down the forests and built homes, and for the women who had their babies and raised their families in the bush. In the forest lands, it might take years before enough pasture was established to support any livestock. In economic terms, it might never have been profitable. Selections were too small; local markets were small or non-existent; transport costs were too high and infrastructure not provided for access to outside markets. Most selectors had to rely on off-farm income to support their families and make their repayments. When mining developed in the 1880s, selectors in the north-west and north-east of Tasmania were in key positions to sell produce into the new communities. The new industries provided work opportunities for them and their families.

The belief in improvement also drove the selectors. The hope of making good, of doing better for the family, of establishing a prosperous small farm, kept them going year after year. When they fell behind with their payments, chances were



that the big men too had fallen behind with theirs and, controlling government, were able to negotiate easier credit terms, from which the selectors often benefitted as well.

The selectors' life might be lonely, that depended on both the geography of the selection and the type of community selectors took with them to their new homes. Chapter Seven showed that while a number of selectors found the bush life lonely, those at Goulds Country did not, because they brought extended family groups with them and they invested time, effort and resources into building a new community.

The outstanding achievement of the Waste Lands Acts was the creation of the regional economies and communities. On the downside must be reckoned the years of toil with little or no reward for the selectors, and the waste of resources as settlers cut out the forests and burnt the timber in order to establish farms that might never be profitable.

With the development of mining, revenue from land sales ceased to be essential for running the government and land matters took backstage to mining and railways. Improvement of the waste lands ceased to be a driving force behind the land legislation. In 1890, the Waste Lands acts were replaced with the *Crown*

*Lands Act 1890*.<sup>4</sup> This could not be said to be a reform act; in many ways it simply built on the provisions already tried and tested under the Waste Lands Acts. The provisions for pastoral leases remained, and selection was retained, under almost identical terms as those of the old *Waste Lands Act No 5 1868*.

With agriculture long neglected and still in decline, the Tasmanian government, in the hope of stimulating the industry, created the Council of Agriculture in 1891. Members were nominated by the Governor, and farmers were elected to local Boards of Agriculture. This Council ran for almost two decades until it was disbanded in favour of a Department of Agriculture.<sup>5</sup>

If there was ever a lesson to be learned from the Waste Lands Acts, it has to be about the difficulties associated with establishing small farming in a country with limited local markets and high transport costs. Neither government nor the community seem to have learnt this lesson, for it was all to do again when the government, following trends in the other colonies, introduced its disastrous closer settlement schemes from the late nineteenth century and its soldier settlement scheme after World War One. This thesis has not been able to address these topics, but they offer a research opportunity for future enquiry.

---

<sup>4</sup> 54 Vict no 8.

<sup>5</sup> 'Annual Report', *The First Annual Report and Journal of the Council of Agriculture Tasmania*, 1, no 1, (1893), p 7; R L Wettenhall, *A Guide to Tasmanian Government*, (Hobart, 1968), pp 156-7.

# Appendix One

## Waste Lands Acts of Tasmania

<b>Date Royal Assent</b>	<b>Act</b>	<b>Title</b>
25 February 1858	21 Vict no 33	<i>Waste Lands Act</i>
25 February 1858	21 Vict no 34	<i>Unsettled Lands Act</i>
23 September 1859	23 Vict no 19	<i>Waste Lands Act No 2</i>
23 September 1859	23 Vict no 20	<i>Unsettled Lands Act No 2</i>
4 October 1859	24 Vict no.11	<i>Unsettled Lands Act No 3</i>
30 November 1861	25 Vict no 8	<i>Waste Lands Act No 3</i>
26 September 1862	26 Vict 1 <sup>st</sup> session no 6	<i>Waste Lands Act No 4</i>
18 September 1863	27 Vict no 22	<i>Waste Lands Act 1863</i>
20 September 1864	28 Vict no 3	<i>Waste Lands Act No 2</i>
29 September 1865	28 Vict no 20	<i>Waste Lands Act No 3</i>
11 October 1867	31 Vict no 25	<i>Waste Lands Act No 4</i>
17 September 1868	32 Vict no 18	<i>Waste Lands Act No 5</i>
18 October 1870	34 Vict no 10	<i>Waste Lands Act</i>
21 December 1871	35 Vict no 4	<i>Waste Lands Act 1871</i>
27 December 1872	36 Vict no 16	<i>Waste Lands Act 1872</i>
11 March 1880	43 Vict no 16	<i>Waste Lands Act 1880</i>
8 November 1881	45 Vict no 5	<i>Waste Lands Act 1881</i>
8 December 1886	50 Vict no 11	<i>Waste Lands Act 1886</i>
21 November 1887	51 Vict no 12	<i>Waste Lands Act 1887</i>
24 October 1888	52 Vict no 33	<i>Waste Lands Act 1888</i>
5 December 1889	59 Vict no 38	<i>Waste Lands Act 1889</i>

*Source:* Compiled from the legislation.

## Appendix Two

### Legislation Related to the Waste Lands Acts of Tasmania, 1857-90

Act	Title	Year
19 Vict no 28	<i>The Master and Servant Act 1856</i>	1856
21 Vict no 8	<i>The Land Fund Act</i>	1857
21 Vict no 11	<i>The Land Clauses Act</i>	1857
25 Vict no 16	<i>The Real Property Act</i>	1862
26 Vict no 4	<i>The Mineral Lands Act</i>	1862
26 Vict no 7	<i>The Trespass to Lands Act 1862</i>	1862
26 Vict Sess 2 no 1	<i>The Real Property Act 1863</i>	1863
26 Vict Sess 2 no 2	<i>The Quit Rent Remissions Act</i>	1863
26 Vict Sess 2 no 6	<i>Reward for the discovery of a profitable Gold Field</i>	1863
29 Vict no 7	<i>The Cemeteries Act 1865</i>	1865
31 Vict no 17	<i>The Real Property Act No 3</i>	1867
31 Vict no 26	<i>The Immigration Act 1867</i>	1867
31 Vict no 27	<i>Land for Settlement Reservation</i>	1867
32 Vict no 15	<i>The Irrigation and Drainage Act 1868</i>	1868
32 Vict no 19	<i>Waste Lands of the Crown</i>	1868
33 Vict no 4	<i>An Act to provide for the Appointment of a Minister for Lands and Works</i>	1870
34 Vict no 6	<i>The Goldfields Regulation Act</i>	1870
34 Vict no 11	<i>The Mineral Leases Act</i>	1870
34 Vict no 15	<i>The Unsettled Lands Exploration Act</i>	1870
34 Vict no 32	<i>Bankruptcy Act 1870</i>	1870
35 Vict no 5	<i>Purchasers of Crown Land Relief</i>	1871
38 Vict no 16	<i>The Immigration Act 1874</i>	1874
39 Vict no 4	<i>The Infants Relief Act</i>	1875
41 Vict no 7	<i>The Mineral Lands Act 1877</i>	1877
41 Vict no 9	<i>Municipal District of Portland</i>	1877
42 Vict no 9	<i>The Real Property Act 1878</i>	1878
43 Vict no 15	<i>The Municipal District of Carnarvon</i>	1880
44 Vict no 4	<i>The Land Clauses Act</i>	1880
44 Vict no 16	<i>The Gold Fields Regulation Act 1880</i>	1880
44 Vict no 17	<i>The Mineral Lands Amendment Act 1880</i>	1880
45 Vict no 6	<i>The Gold Fields Regulation Amendment Act 1881</i>	1881
45 Vict no 7	<i>The Mineral Lands Amendment Act 1881</i>	1881
46 Vict no 40	<i>Immigration</i>	1882
47 Vict no 11	<i>The Gold Fields Regulation Amendment Act 1883</i>	1883
49 Vict no 2	<i>The Gold Fields Regulation Amendment Act 1881</i>	1885

49 Vict no 3	<i>The Mineral Lands Amendment Act</i>	1885
49 Vict no 31	<i>The Immigration Act 1885</i>	1885
50 Vict no 8	<i>The Real Property Act 1886</i>	1886
51 Vict no 3	<i>The Master and Servant Act 1887</i>	1887
52 Vict no 34	<i>The Mineral Lands Amendment Act</i>	1888
54 Vict no 8	<i>The Crown Lands Act 1890</i>	1890

Source: Compiled from The Public General Acts of Tasmania, 1826-1936, Vol 7, (Sydney, nd), pp 235-274.

## Appendix Three

### Geographical Tasmania



Source: Extract from A Alexander, ed, *Companion to Tasmanian History*, (Hobart, 2005), endpaper.



## Appendix Four

### Tasmanian Towns



Source: Extract from A Alexander, ed, Companion to Tasmanian History, (Hobart, 2005), endpaper.

## Appendix Five

### Selectors at Goulds Country, 1870

Lot no	Area acres	Names of lessee
7	78 acres	Johnston, John
	76 acres	Johnston, A
3	76	Nichols, A W
6	81	Nichols, F E
9	79 acres	Wise H
2	81	Smith, B
10	80	Lewis, Thomas
16	77	Johnston, Murdoch
14	82	Coffey, Michael
15	80	Coffey, William
17	80	Fitzgerald, W J
18	78	Gunyon, James
20	77	Singleton, Henry
21	80	Wylie, Alexander
22	77	Read, William
23	79	Pitchford, John
24	78	Downer, Maurice
27	66	Lee, John



28	80	Long, Christmas
29	79	Jackson, Thomas

Source: 'Crown Lands: Returns', *JHA*, XXI, paper 53 (1870), p 7. Note the lot numbers in these Returns do not match the lot numbers shown on the Dorset 76 plan.

# Bibliography

## PRIMARY SOURCES

### Manuscripts

#### A. *Official*

#### Tasmanian Archive and Heritage Office

#### Convict Department

Conduct Registers of Male Convicts Arriving in the Assignment Period, 1803-1843, CON 31, TAHO.

Conduct Registers of Male Convicts Arriving in the probation Period, 1844-1853, CON 33, TAHO.

Descriptive Lists of Male Convicts, 1828-1853, CON 18, TAHO.

#### Executive Council

Executive Council 1851-1860, EC 4/1/9, 13 July 1854, Minute No 1, p 125, TAHO.

#### Immigration Agents Department

Alphabetical Descriptive List of Immigrants, December 1856-August 1858, CB7/20, TAHO.

#### Land and Survey Department

Letter to Assistant Colonial Treasurer, 26 June 1872, Surveyor-General's General Letterbooks, LSD16/1/31, letters 308 and 310, TAHO.

Letter to the Colonial Treasurer and Auditor, 6 April 1864, Surveyor-General's Letterbooks 9 February 1864 to 12 October 1865, LSD16/1/19, p 65, TAHO.

Letter to Colonial Treasurer, 12 February 1872, Surveyor-General's General Letterbooks, LSD16/1/29, letter 686, TAHO.

Letter to J D Balfe, 6 February 1872, Surveyor-General's General Letterbooks, LSD16/1/29, letter 632, TAHO.

Letter to J Fenton, 11 August 1859, Surveyor-General's Letterbook 22 July 1858 to 24 December 1859, LSD16/1/15, 414, TAHO.

Letter to John Bell, 4 May 1864, Surveyor-General's General Letterbooks, 9 February 1864 to 12 October 1865, LSD16/1/19, TAHO.

Letter to Mr Smithies from J Sprent, 6 August 1858, Surveyor-General's Letterbook 22 July 1858 to 24 December 1859, LSD16/1/15, 3, TAHO.

Letter to P T Smith, 1873, Surveyor-General's General Letterbooks, LSD16/1/33, letter 423, TAHO.

Letter to R Stewart, Torquay, River Mersey, 16 February 1857, Surveyor-General's General Letterbooks, LSD16/1/14, p 163, TAHO.

Letter to W A Kermode, 28 January 1871, Surveyor-General's General Letterbooks, LSD16/1/27, letter 22, TAHO.

Letter to W R Allison, 20 January 1857, Surveyor-General's General Letterbooks, LSD16/1/14, p 133, TAHO.

Letter to W R Allison, March 1865, Surveyor-General's Letterbooks, LSD16/1/19, p 435, TAHO.

Letter to William Archer, 18 March 1864, p 48, Surveyor-General's Letterbooks 9 February 1864 to 12 October 1865, LSD16/1/19, p 48, TAHO.

Letter to William Archer, 12 August 1872, Surveyor-General's General Letterbooks, LSD16/1/31, letter 650, TAHO.

Memo to Colonial Treasurer and Auditor, 14 March 1864, Surveyor-General's Letterbooks 9 Feb 1864 to 12 Oct 1865, LSD16/1/19, pp 44-5, TAHO.

Registers of Land Selected in the Various Counties, LSD197, TAHO.

Registers of Land Selected in the Various Counties, LSD228, TAHO.

Returns of Land Sales, LSD363, TAHO.

Returns of Land Sales, 1866-9, LSD363/1/1 – LSD363/1/4, TAHO.

Surveyor-General's Correspondence with District Surveyors, Miscellaneous Undated Charts and Tracings, and References to Plans, 1829-1875, LSD24, TAHO.

### **Probate Registry**

Wills, Michael Coffey 1877, AD960/1/10, p 310, Will No 1966, TAHO.

### **Registrar-General's Department**

Registers of Births, Deaths and Marriages, 1805-1899, RGD 33-37, TAHO.

### ***B. Private***

#### **Claudia Dean Private Collection**

Henry Dean's Diaries, private collection held by Claudia M Dean, Margate, Tasmania.

### **National Library of Australia**

Raper, George, Observations by Lieut. George Raper, R.N., 1787-1794 [manuscript], at <http://www.nla.gov.au/apps/cdview/?pi=nla.ms-ms9433-1>, accessed 5 March 2014.

### **State Library of New South Wales**

Banks, Sir Joseph, Papers of Sir Joseph Banks, State Library New South Wales, <http://www2.sl.nsw.gov.au/images/banks/digitised/110111.jpg>, accessed 5 March 2014.

West Side of Arthur's Vale, ca 1790, attributed to George Raper, Papers of Sir Joseph Banks, State Library New South Wales, <http://www2.sl.nsw.gov.au/images/banks/digitised/110111.jpg>, accessed 5 March 2014.

### **Tasmanian Archive and Heritage Office**

Amos, Adam, Letter to Pringle, Scotland, 1826, Amos Papers, NS323/3, TAHO.

Byard family-Miscellaneous notes made by members of 'Byard' family, 1871-1876, NS1126/1/2, TAHO.

'Clement Byard' Diaries, 1873-1934, NS1126/1/5-60, TAHO.

Farm Account Book of John Bisdee and others, 1 March 1857-30 June 1898, NS2354/1/1, TAHO.

'John Meredith Notes', in 'Typed Manuscript Material, Notes and Correspondence relating to the history of the Meredith family', NS123/1/157, Box 123/152, TAHO.

Letter from Burke, New Norfolk, to Captain Swanston, Derwent Bank, August 1846, Box 4, Bundle 7, Derwent Bank Papers, Heritage Collections, TAHO.

Letter from Ebenezer Shoobridge to Captain Swanston, Derwent Bank, August 1846, Box 4, Bundle 7, Derwent Bank Papers, Heritage Collections, TAHO.

Reminiscences John Lyne', NS854/1/1, Box 806/1, TAHO.

William Dean-Correspondence with the Lands Department Concerning his Properties, NS93/1/3, TAHO.

## **Parliamentary Papers of Tasmania**

'1848 Regulations, Government Notice No 66', Votes and Proceedings, *VDLLC*, 1, paper 38, (first session, 1852), pp 2-5.

'Agricultural Areas', *JHA*, XII, paper 33, 1865, unpagged.

'Australasian Statistics, 1874', *LCJ*, XXIII, paper 2, (1876), pp 4-12.

'Board of Immigration Report for 1870', *LCJ*, XVII, paper 14, (1871), pp 4-6.

'Board of Immigration: Report for 1873', *JHA*, XXVII, paper 71, (1874), pp 4-7.

Crawford, Robert, 'Fluke', *JHA*, XXII, paper 49, (1871), unpagged.

Crawford, Robert, 'Huon: Mr Robert Crawford's Report', *JHA*, XX, paper 92, (1870), pp 4-6.

Crawford, Robert, 'Waste Lands of the Colony: Report by Mr R Crawford', *JHA*, XVIII, paper 33, (1869), pp 4-73.

Crawford, Robert, 'Waste Lands of the Colony', *JHA*, XX, paper 61, (1870), pp 5-33.

'The Crown Lands Bill, 1878: Report from the Select Committee, with Minutes of Meetings and Evidence', *JHA*, XXXV, paper 102, (1878), pp 4-10.

'Crown Lands Bill, 1884: Report of the Select Committee', *TJPP*, XXXV Part 1, paper 112, (1883), pp 3-7.

‘Crown Lands Reports’, *JHA*, XI, paper 19, (1864), pp 4-34.

‘Crown Lands: Return of Certain Selections for Purchase’, *JHA*, XX, paper 110, (1870), unpagged.

‘Crown Lands: Return of Land Purchased under the 24th Section of the Waste Lands Act up to 30th June, 1881’, *JHA*, XLI, paper 117, (1881), pp 3-4.

‘Crown Lands: Return of Lands Sold, 1864-1875, and Cost of Department’, *JHA*, XXXI, paper 96, (1876), unpagged.

‘Crown Lands: Returns’, *JHA*, XX, paper 53, (1870), pp 4-8.

‘Crown Lands Sold’, *JHA*, XII, paper 83, (1865), unpagged.

‘Debentures’, *JHA*, XII, (1865), paper 1, p 4.

‘District Surveyors’ Reports’, *JHA*, XXXV, paper 133, (1878), pp 4-14.

‘District Surveyors’ Reports’, *JHA*, XLI, paper 60, (1881), pp 4-14.

‘District Surveyors’ Reports’, *JHA*, XLIII, part 2, paper 104, (1882), pp 3-16.

‘Don and Leven’, *JHA*, IV, paper 89, (1859), unpagged.

Gould, Charles, ‘Report of the Geological Surveyor: County Dorset’, *JHA*, XI, paper 46, (1864), pp 4-8.

‘Huon District. Mr Tully’s Report’, *JHA*, V, paper 100, (1860), pp 4-8.

'Immigration: Report from the Select Committee', *JHA*, VII, paper 150, (1861), pp 4-21.

'Immigration ', *JHA*, XXXV paper 67, (1878), pp 4-8.

'Immigration Agent's Report', *JHA*, XII, paper 20, (1865), pp 4-8.

'Immigration: Report of Select Committee,' *VDLLCJ*, VI, (1855), pp 44-5.

'Immigration: Report from Select Committee, with Minutes of Proceedings, Evidence, and Appendices', *JHA*, XLIII Part 2, paper 105, (1882), pp 4-15.

'Inspector of Sheep: Report for 1874', *JHA*, XXVIII, paper 26, (1875), pp 4-46.

'Land Fund: Comparative Statement', *JHA*, IV, paper 80, (1858), p 4.

'Land Regulations: Petition', *VDLLCJ*, 1, paper 60, (1852), p 4.

'Land Regulations: Petition of W Russell', *VDLLCJ*, 2, Part 1, paper 32, (1852), unpagged.

'Land Revenue', *JHA*, XXII, paper 61, (1871), pp 4-7.

'Lands of Tasmania', *JHA*, VIII, paper 46, (1862), pp ii-v, 4-100.

'Lands of Tasmania', *JHA*, XIII, paper 27, (1866), pp 3-94.



‘Lands of Tasmania: Report by the Surveyor-General’, *JHA*, XI, paper 18, (1864), pp 3-88.

‘Memorial from Residents of Bedford, District of Franklin’, *JHA*, XXII, paper 69, (1871), unpagged.

‘Miss Bishton: Correspondence with the Lands and Works Department’, *JHA*, XXVI, paper 105, (1874), unpagged.

Nowell, E C, 'Progress of Tasmania, 1871-80', *JHA*, XLIII, paper 134, (1882), pp 4-9.

‘Parliaments’, *JHA*, XXXVIII, 1880, unpagged.

'Petition ', *LCJ*, II, paper 26, (1857), unpagged.

'Petition: From E Walpole Waste Lands', *JHA*, II, paper 28, (1857), unpagged.

‘Petition from Mr John Bell’, *JHA*, XI, paper 76, (1864), unpagged.

'Progress Report from the Select Committee on the Working of the "Waste Lands Act"', *JHA*, VII, paper 161, (1861), pp 4-19.

‘Quiet Enjoyment Lands’, *JHA*, XVII, paper 43, (1874), pp 3-4.

'Rented Lands Sold', *JHA*, VII, paper 51, (1861), pp 3-8.

‘Return of Debentures Issued during 1861, 1862, 1863 and 1864’, *JHA*, XI, paper 42, (1864), pp 3-6.

'Report and Evidence to the Select Committee from 1861,' *JHA*, VIII, paper 111, (1862), pp 4-37.

'Report from the Select Committee Appointed to Consider the Waste Lands Bill,' *JHA*, X part 2, paper 64, (1863), pp 4-19.

'Report of Select Committee on Immigration', *JHA*, XLIII Part 2, paper 105, (1882), pp 3-16.

'Report of the Railway Enquiry Board: Branch Lines', *TJPP*, XXXV, paper 64, (1883), pp 3-9.

'Report on Goulds New Country', *JHA*, XV, paper 39, (1867), pp 3-8.

'Report on the Waste Lands Between the Mersey and Leven Rivers', *JHA*, V, paper 84, (1860), pp 4-6.

'Reports, or Extracts from Reports, of the Collectors of Statistics, Statistics of Tasmania 1870', *JHA*, XXI, (1871), pp 4-194.

'Reproductive Works: Report of the Select Committee', *JHA*, XI, paper 77, (1864), pp 4-21.

'Return Relative to Land in the Unsettled District', *LCJ*, V, paper 21, (1860), unpagged.

'Roads between the Mersey and Leven', *JHA*, V, paper 7, unpagged.

'Royal Commission on Fluke in Sheep: Report', *JHA*, XVIII, paper 43, (1869), pp iii-xii, 2-47.

‘Scab in Sheep Act: Inspector’s Report for 1870-71’, *JHA*, XVII, paper 13, (1871), pp 4-9.

‘Scab in Sheep Act: Inspector’s Report for 1871’, *JHA*, XXIII, paper 23, (1872), pp 4-10.

‘Select Committee on Agricultural and Pastoral Depression: Progress Report and Evidence,’ *LCJ*, XIV, paper 72, (1868), pp 5-8.

‘Statistical Summary for Tasmania, from 1816 to 1890’, *TJPP*, XXIV, paper 150, (1891), pp iv-vii, 5-412.

‘Statistics of Tasmania 1857’, *JHA*, III, paper 30, (1858), pp 6-7; 1870, *JHA*, XXI, paper 1, (1871), pp 5-7; 1880, *JHA*, XL, paper 1, (1881), pp 31-3.

‘Statistics for 1859’, *LCJ*, V, paper 25, (1860), p 58.

‘Statistics of Tasmania 1859: Return of Crown Lands Sold During the Year 1859’, *JHA*, V, paper 1, (1860), p 58.

‘Statistics of Tasmania 1862’, *JHA*, X Part 1, paper 2, (1863), pp 6-90.

‘Statistics of Tasmania 1866’, *JHA*, XV, paper 1, (1867), pp vi-xxviii, 2-164.

‘Statistics of Tasmania 1867’, *JHA*, XVI, paper 1, (1868), pp iv-xxviii, 2-172.

‘Statistics for 1868’, *JHA*, XVII, paper 1, (1869), pp iv-xxvi, 1-198.

‘Statistics of Tasmania 1869’, *JHA*, XIX, paper 1, (1870), pp iv-xxvi, 3-199.

‘Statistics of Tasmania 1870’, *JHA*, XXI, paper 1, (1871), pp viii-xxviii, 5-196.

- ‘Statistics of Tasmania 1870’, *LCJ*, XVII, paper 1, (1871), pp viii-xxviii, 5-196.
- ‘Statistics of Tasmania 1871’, *JHA*, XXIII, paper 2, (1872), pp viii-xviii, 3-190.
- ‘Statistics of Tasmania 1873’, *JHA*, XXVII, paper 1, (1874), pp viii-xxii, 3-201.
- ‘Statistics of Tasmania 1874’, *JHA*, XXVIII, paper 2, (1875), pp vi-xxix, 3-204.
- ‘Statistics of Tasmania 1875’, *LCJ*, XXIII, paper 1, (1876), pp iv-xxxii, 3-220.
- ‘Statistics of Tasmania 1878’, *JHA*, XXXVI, paper 1, (1879), pp vii-xxx, 3-231.
- ‘Statistics, 1879’, *JHA*, XXXVIII, paper 1, (1880), pp viii-xxx, 2-216.
- ‘Statistics for 1880’, *JHA*, XL, paper 1, (1881), pp viii-xxxix, 3-218.
- ‘Statistics of Tasmania 1881’, *JHA*, XLII, paper 1, (1882), pp viii-xl, 3-225.
- ‘Statistics, 1882’, *JHA*, XLIV part 1, paper 1, (1883), pp x-lx, 5-268.
- ‘Statistics of Tasmania 1890’, *TJPP*, XXIV, paper 150, (1891), pp 4-412.
- ‘Statistics of Tasmania 1891’, *TJPP*, XXVI Part 2, paper 124, (1892), pp 4-426.
- ‘Tasman’s Peninsula: Report from the Joint Committee of both Houses of Parliament, *LCJ*, V, paper 48, (1860), pp 4-14.

Thomas, John, 'Report on Gould's New Country', *JHA*, XV, paper 39, (1867), pp 4-8.

'Waste Lands Act Amendment Bill: Report from the Select Committee', *JHA*, XV, paper 65, (1867), pp 4-6.

'Waste Lands Act Additional Replies', *JHA*, VIII, paper 124, (1862), pp 3-4.

'Waste Lands Bill, No 3, 1863: Petition', *LCJ*, IX, paper 59, (1863), p 4.

'Waste Lands: Report of the Select Committee', *JHA*, XVIII, paper 126, (1869), pp 4-26.

'Waste Lands: Report from the Select Committee', *JHA*, XVI, paper 89, (1868), pp 4-25.

'Waste Lands: Returns Furnished to the Select Committee Appointed to Inquire Into "The Waste Lands Act"', *JHA*, VII, paper 131, (1861), pp ii-v, 4-100.

## **Newspapers and Periodicals**

*Cornwall Chronicle*

*Devon Herald*

*Examiner*

*Hobart Town Advertiser*

*Hobart Town Gazette*

*Hobart Town Mercury*

*Launceston Examiner*

*Mercury*

*Manchester Times*

*Sydney Gazette and New South Wales Advertiser*

*Walch's Tasmanian Almanac*

## Works of Reference

*The Cyclopedia of Tasmania (illustrated): an historical and commercial review: descriptive and biographical, facts, figures and illustrations: an epitome of progress: business men and commercial interests, Vol 2, (Hobart, 1900).*

## Books, Pamphlets and Annual Reports

Campbell, William, *The Crown Lands of Australia*, (Glasgow, 1855).

Fitzgerald, W G, *Conquerors of the Rugged North East*, (St Helens, Tas., 1995, originally published as a Saturday serial in the *Examiner*, beginning 5 March 1955).

Ireland, Mark, *Pioneering on North East Coast and West Coast of Tasmania, from 1876 to 1913*, (Launceston, Tas., 1915).

Fenton, James, *Bush Life in Tasmania Fifty Years Ago*, (Launceston, nd).

Furlong, Charles, *The Settler in Tasmania 1873-1879*, (Adelaide, 1982, first published as *Emigration to Tasmania*, London, 1879).

Skemp, John Rowland, *Memories of Myrtle Bank: the Bush Farming Experiences of Rowland and Samuel Skemp in North-Eastern Tasmania 1883-1948*, (Melbourne, 1952).

Smith, Benjamin, 'My Passage in Time, 1835-1927', in Chapman, Jennie, *Benjamin Smith: My Passage in Time, 1835-1927*, (Caboolture, QLD, 2003).

Stoney, Captain Henry Butler, *A Residence in Tasmania with a Descriptive Tour through the Island from Macquarie Harbour to Circular Head*, (London, 1856).

West, John, *The History of Tasmania*, edited by A. G. L. Shaw, (Sydney, 1971, first published 1852).

Whitehead, A, F Vernon, and M Sprod, *The Whitehead Letters; Tasmanian Society and Politics 1871-1882*, (Hobart, 1991).

## Periodical Articles

‘Settling in Tasmania: Experiences of a Working Man Immigrant No I, II and III’, *Manchester Times*, 1 March 1890, p 4, 8 March 1890, p 4, 15 March 1890, p 4.

Dobson, T, ‘The Codlin Moth’, *Royal Society of Tasmania Papers*, 1879, pp 54-8.

‘Tree Planting’, *The Agricultural Gazette and Journal of the Council of Agriculture*, vol 4, no 11, (May 1897), p 163.

## Maps

Don Township on Don River and Property of John Helder Wedge, 1 January 1868 – 31 December 1869, (map), LSD264/1/6, TAHO.

Dorset 76 (1888). (map). Reproduced with the permission of the Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania.

Geographical Tasmania, (map), in Alexander, Alison, (ed), *Companion to Tasmanian History*, (Hobart, Tas., 2005), endpaper.

Goulds New Country: County of Dorset. (map). Surveyor-General’s Correspondence with District Surveyors, Miscellaneous Undated Charts and Tracings, and References to Plans, 1829-1875, LSD 24, TAHO.

Land Alienation in Tasmania 1889, Walch’s Tasmanian Almanac, (Hobart, 1889), insert.

Land District Chart: Dorset 5c, 1932, Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania.

Plan of Settlers' Lots and Ground Cultivated for the Publick on Norfolk Island 1794, (map), in *Norfolk Island Archaeological Report on Kingston—Arthur's Vale Area: Research and Survey Vol I*, (Canberra, 1980).

Tasmania by James Sprent, (map), 1859, Department of Primary Industries, Parks, Water and the Environment, available at <https://www.tasmap.tas.gov.au/do/product/HISTCHART/HISTSPRENT1>, accessed 3 March 2013. Reproduced with the permission of the Department of Primary Industries, Parks, Water and Environment, Information and Land Services Division © State of Tasmania.

Tasmanian Towns, (map), in Alexander, Alison, (ed), *Companion to Tasmanian History*, (Hobart, Tas., 2005), endpaper.

Towns in Tasmania. (map). In Linge, G J R, *Industrial Awakening: A Geography of Australian Manufacturing 1788 to 1890*, (Canberra, 1979), p 643.

## Images

Alexander Johnston at St Gabriel's Anglican Church, (image), Johnston Folder, St Helens History Centre.

Ernest Hall's Shop, in W G Fitzgerald, *Conquerors of the Rugged North East*, originally published as a Saturday serial in the *Launceston Examiner*, beginning 5 March 1955, (St Helens History Room, Tas., 1955), p 15.

St Helens District 2009, (image), supplied courtesy of TASMAP, 14 October 2013. Includes material copyright (2009) RapidEye AG, Germany. All rights reserved.

Trowbridge's Hotel, St Helens History Centre.



## SECONDARY SOURCES

### Bibliographies, Indexes, and General References

Anderson, Hugh, 'Clarke, William John (1805–1874)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/clarke-william-john-1902/text2247>, published in hardcopy 1966, accessed online 7 April 2013.

'Anstey, Thomas (1777 - 1851)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/anstey-thomas-1709/text1859>, published in hardcopy 1966, accessed online 25 February 2010.

Bennett, Scott, 'Braddon, Sir Edward Nicholas Coventry (1829–1904)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/braddon-sir-edward-nicholas-coventry-5330/text9007>, published in hardcopy 1979, accessed online 6 June 2013.

Bolger, P, 'Morrison, Askin (1800 - 1876)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/morrison-askin-4255/text6877>, published in hardcopy 1974, accessed online 30 May 2010.

Brown, P L, 'Armytage, George (1795–1862)', *Australian Dictionary of Biography*, <http://adb.anu.edu.au/biography/armytage-george-1715/text1871>, published in hardcopy 1966, accessed online 29 June 2013.

Cameron, E J, 'Kermode, William (1780–1852)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/kermode-william-2303/text2979>, published in hardcopy 1967, accessed online 20 December 2013.

Craig, C J, 'Bird, Bolton Stafford (1840–1924)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University,

<http://adb.anu.edu.au/biography/bird-bolton-stafford-1664/text4381>,  
published in hardcopy 1969, accessed online 6 June 2013.

Crawford, G H, 'Gleadow, John Ward (1801–1881)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/gleadow-john-ward-2100/text2649>,  
published in hardcopy 1966, accessed online 10 April 2010.

Crowther, W E L H, 'Crowther, William Lodewyk (1817–1885)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/crowther-william-lodewyk-3297/text5013>, published in hardcopy 1969, accessed online 20 January 2014.

Dollery, E M, 'Giblin, William Robert (1840–1887)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/giblin-william-robert-3606/text5597>,  
published in hardcopy 1972, accessed online 3 April 2014.

Eldershaw, P R, 'O'Connor, Roderic (1784 - 1860)', *Australian Dictionary of Biography*, <http://www.adb.online.anu.edu.au/biogs/A020261b.htm>,  
published in hardcopy 1967, accessed online 22 February 2010.

Eldershaw, P R, 'Murdoch, Peter (1795 - 1871)', *Australian Dictionary of Biography*, <http://www.adb.online.anu.edu.au/biogs/A020235b.htm>,  
published in hardcopy 1967, accessed online 26 February 2010.

Finlay, Lex, 'Mackersey, John (1789–1871)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/mackersey-john-2409/text3189>, published in hardcopy 1967, accessed online 20 January 2014.

Gibson, M, 'Gibson, David (1778–1858)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/gibson-david-2091/text2629>, published in hardcopy 1966, accessed online 10 November 2013.

- Green, F C, 'Davies, John (1813–1872)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/davies-john-3374/text5101>, published in hardcopy 1972, accessed online 24 October 2013.
- Green, F C, 'Spode, Josiah (1790–1858)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/spode-josiah-2686/text3733>, published in hardcopy 1967, accessed online 2 February 2014.
- Hodgson, David, 'Meredith, George (1777–1856)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/meredith-george-2449/text3269>, published in hardcopy 1967, accessed online 10 January 2014.
- Hone, J Ann, 'Willis, Edward (1816–1895)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/willis-edward-4860/text8119>, published in hardcopy 1976, accessed online 2 November 2013.
- Kemp, Murray C, 'Kemp, Anthony Fenn (1773–1868)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/kemp-anthony-fenn-2294/text2961>, published in hardcopy 1967, accessed online 2 February 2014.
- Louch, T S, 'Weld, Sir Frederick Aloysius (1823–1891)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/weld-sir-frederick-alloysius-4829/text8055>, published in hardcopy 1976, accessed online 29 April 2013.
- 'Maclanachan, James (1799–1884)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/maclanachan-james-4119/text6429>, published in hardcopy 1974, accessed online 1 July 2013.
- Mead, Isabella J, 'Dowling, Henry (1780–1869)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University,

<http://adb.anu.edu.au/biography/dowling-henry-1988/text2419>, published in hardcopy 1966, accessed online 5 May 2011.

O'Neill, Sally, 'Meredith, Charles (1811–1880)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/meredith-charles-4187/text6731>, published in hardcopy 1974, accessed online 10 January 2014.

Page, Roger, 'Dumaresq, Edward (1802–1906)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/dumaresq-edward-2002/text2445>, published in hardcopy 1966, accessed online 26 February 2010.

*The Public General Acts of Tasmania, 1826-1936, Vol 7*, (Sydney, nd).

The E R Pretyman Index to Tasmanian Place Names, TAHO, <http://stors.tas.gov.au/NS2809>, accessed 17 February 2014.

Reynolds, John, 'Allison, William Race (1812–1865)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/allison-william-race-1698/text1835>, published in hardcopy 1966, accessed online 21 October 2013.

Reynolds, John, 'Dry, Sir Richard (1815–1869)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/dry-sir-richard-1999/text2439>, published in hardcopy 1966, accessed online 5 November 2013.

Rienits, Thea, 'Lord, Edward (1781–1859)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/lord-edward-2370/text3113>, published in hardcopy 1967, accessed online 2 February 2014.

Rimmer, Gordon, 'Brown, Nicholas John (1838–1903)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/brown-nicholas-john-3081/text4555>, published in hardcopy 1969, accessed online 6 June 2013.

Rimmer, Gordon, 'Butler, Henry (1821–1885)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/butler-henry-3128/text4657>, published in hardcopy 1969, accessed online 8 April, 2013.

Robson, L L, 'Balfe, John Donnellan (1816–1880)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/balfe-john-donnellan-2924/text4225>, published in hardcopy 1969, accessed online 6 June 2013.

Smith, Neil, 'Whyte, James (1820–1882)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/whyte-james-4847/text8093>, published in hardcopy 1976, accessed online 4 April 2013.

Smith, Neil, 'Wilson, Sir James Milne (1812–1880)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/wilson-sir-james-milne-4867/text8135>, published in hardcopy 1976, accessed online 8 April 2013.

Stilwell, G T, 'Archer, Joseph (1795–1853)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/archer-joseph-1479/text1865>, published in hardcopy 1966, accessed online 17 January 2014.

Stilwell, G T, 'Archer, William (1820–1874)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/archer-william-1460/text4151>, published in hardcopy 1969, accessed online 17 January 2014.

Sullivan, C M, 'Innes, Frederick Maitland (1816–1882)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/innes-frederick-maitland-3835/text6089>, published in hardcopy 1972, accessed online 23 April 2013.

Teniswood, W V, 'Dry, Richard (1771–1843)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University,

<http://adb.anu.edu.au/biography/dry-richard-1998/text2437>, published in hardcopy 1966, accessed online 10 November 2013.

Thwaites, Jack, 'Calder, James Erskine (1808–1882)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/calder-james-erskine-1865/text2173>, published in hardcopy 1966, accessed online 23 April 2014.

Von Stieglitz, K R, 'Salmon, Thomas (1780–1847)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/salmon-thomas-2625/text3631>, published in hardcopy 1967, accessed online 20 December 2013.

Wall, Bruce, 'Lawrence, William Effingham (1781–1841)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/lawrence-william-effingham-2336/text3043>, published in hardcopy 1967, accessed online 20 May 2010.

## Conference Proceedings

Shepherd, R R, 'Land Use', in *The Lake Country of Tasmania; a Symposium arranged by the Royal Society of Tasmania*, (November 1972), pp 161-77.

*The Lake Country of Tasmania; a Symposium arranged by the Royal Society of Tasmania*, (November 1972).

## Government Publications

Boray, Joseph, 'Liver Fluke Disease in Sheep and Cattle', New South Wales Department of Primary Industries, Primefacts 446, (2007), pp 2-10, [http://www.dpi.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0004/114691/liver-fluke-disease-in-sheep-and-cattle.pdf](http://www.dpi.nsw.gov.au/__data/assets/pdf_file/0004/114691/liver-fluke-disease-in-sheep-and-cattle.pdf), accessed 28 March 2014.

Campbell, Noel and Attwood and George Miller, 'Control of Liver Fluke', <http://www.dpi.vic.gov.au/agriculture/pests-diseases-and-weeds/pest-insects/liver-fluke>, accessed 5 July 2013.

Inland Fisheries Service, River Blackfish,  
<http://www.ifs.tas.gov.au/publications/fish-fact-sheets/river-blackfish>,  
 accessed 13 February 2014.

The LIST (Land Information System Tasmania), <http://www.thelist.tas.gov.au/>,  
 accessed 1 October 2013.

'Mole Creek & Chudleigh', Mole Creek Tourism Association,  
<http://molecreek.info/natures-wonders/mole-creek-caves/marakoopa-cave/>,  
 accessed 11 February 2014.

Moulting Lagoon Game Reserve, Parks and Wildlife Service, Department of  
 Primary Industries, Parks, Water and Environment (DPIPWE), Tasmania,  
<http://www.parks.tas.gov.au/index.aspx?base=5624>, accessed 5 March  
 2014.

Smith, W Stephen, 'History of Agriculture in South Australia: Scab in Sheep',  
[http://www.pir.sa.gov.au/aghistory/left\\_nav/departement\\_of\\_agriculture\\_programs/pest\\_and\\_disease\\_programs/eradication\\_programs/sheep\\_scab\\_in\\_SA](http://www.pir.sa.gov.au/aghistory/left_nav/departement_of_agriculture_programs/pest_and_disease_programs/eradication_programs/sheep_scab_in_SA),  
 accessed 5 July 2013.

'The Scottish Government: Sheep Scab',  
<http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/animal-welfare/Diseases/disease/SheepScab>, accessed 5 July 2013.

Tasmanian Heritage Register, Heritage Tasmania,  
[http://www.heritage.tas.gov.au/media/pdf/THR\\_2013\\_07\\_17.pdf](http://www.heritage.tas.gov.au/media/pdf/THR_2013_07_17.pdf), accessed  
 8 October 2013.

'Tasmania Wilderness World Heritage Area', Tasmania. Department of Primary  
 Industries, Parks, Water and Environment,  
<http://www.parks.tas.gov.au/index.aspx?base=391>, accessed 14 February  
 2010.

'Waterways Monitoring Report: George Catchment', Tasmania. Department of Primary Industry, Parks, Water and Environment,  
[http://www.dpiw.tas.gov.au/internnsf/Attachments/JMUY-BW8FL/\\$FILE/George\\_Report\\_04.pdf](http://www.dpiw.tas.gov.au/internnsf/Attachments/JMUY-BW8FL/$FILE/George_Report_04.pdf), accessed 4 September 2013.

Wilson, Graham and Martin Davies, *Norfolk Island Archaeological Report on Kingston—Arthur's Vale Area: Research and Survey Vol I*, (Canberra, 1980).

'Tasmania Wilderness World Heritage Area', Tasmania. Department of Primary Industries, Parks, Water and Environment,  
<http://www.parks.tas.gov.au/index.aspx?base=391>, accessed 14 February 2010.

## **Books, Pamphlets, and Annual Reports**

Alexander, Alison, (ed), *The Companion to Tasmanian History*, (Hobart, Tas., 2005).

Alexander, Alison, *Tasmania's Convicts: How Felons Built a Free Society*, (Crow's Nest, NSW, 2010).

Alice, Lady Lovat, *The Life of Sir Frederick Weld*, (London, 1914).

'Annual Report', *The First Annual Report and Journal of the Council of Agriculture Tasmania*, 1, no 1, (1893), p 7-10.

Baade, Elizabeth and Beverley Banks, *Johnston Family Reunion: 12th, 13th March, 1994*, (St Helens/Goulds Country, 1994).

Baker, A D, *The Life and Times of Sir Richard Dry*, (Hobart, 1951), pp 1-110.

Barnard, A, *The Australian Wool Market 1840-1900*, (Melbourne, 1958).



Bailey, J D, *Growth and Depression: Contrasts in the Australian and British Economies 1870-1880*, (Canberra, 1956).

Banks, Max, 'Charles Gould', in Alison Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, Tas., 2005), pp 164-5.

Beever, E A, *Launceston Bank for Savings 1835-1970: A History of Australia's Oldest Savings Bank*, (Melbourne, 1972).

Bennett, Maureen, *The Quiet Achievers: The History of the Port of Devonport*, (Launceston, Tas., 1995).

Bennett S and B Bennett, *Biographical Register of the Tasmanian Parliament, 1851-1960*, (Canberra, 1980).

Beswick, John, *Brothers' Home: The Story of Derby*, (Gravelly Beach, Tas., 2003).

Bethell, L S, *The Valley of the Derwent*, (Hobart, ?1961).

Bible. Official King James Version Online,  
<http://www.kingjamesbibleonline.org/>, accessed 14 January 2014.

Blainey, Geoffrey, *The Peaks of Lyell*, (Melbourne, 1954).

Blainey, Geoffrey, *The Tyranny of Distance: How Distance Shaped Australia's History*, rev ed, (Sydney, 2001).

Bolch, Cathie, Jennifer Muggeridge, and Carole Withers, *Bygone Branxholm, 1883-1983*, (Branxholm, Tas., 1983).

Boyce, James, *1835: The Founding of Melbourne and the Conquest of Australia*, (Collingwood, Vic., 2011).

Boyce, James, *Van Diemen's Land*, (Melbourne, 2008).

Breen, Shayne, *Contested Places: Tasmania's Northern Districts from Ancient Times to 1900*, (Hobart, 2001).

Brown, Bruce, *I Excel!: The Life and Times of Sir Henry Jones*, (Hobart, 1991),

Burns, Peter, 'St Helens', in Alison Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, Tas., 2005), p 319.

Burroughs, P, *Britain and Australia 1831-1855: A Study in Imperial Relations and Crown Lands Administration*, (Oxford, 1967).

Butlin, N G, *Investment in Australian Economic Development 1861-1900*, (Cambridge, 1964).

Butlin, S J, *The Australian Monetary System 1851-1914*, (Sydney, 1986).

Buxton, G L, *The Riverina 1861-1891: an Australian Regional Study*, (Melbourne, 1967).

Chapman, Jennie, *Benjamin Smith: My Passage in Time, 1835-1927*, (Caboolture, QLD, 2003).

Clark, Manning, *A Short History of Australia*, 4th ed, (Camberwell, Vic., 2006).

Coad, David, *A History of Tasmania Vol 2: Port Cygnet 1860-1900*, (Kingston, Tas., 2010).

Coghlan, T A, *Labour and Industry in Australia: From the First Settlement on 1788 to the Establishment of the Commonwealth in 1901*, 4 vols, (Melbourne, 1969, first published 1918).

Connell, R W and H Irving, *Class Structure in Australian History*, (Melbourne, 1980).

Davidson, B, *European Farming in Australia: An Economic History of Australian Farming*, (Amsterdam, 1981).

Davidson, G, 'Urbanisation', in Alison Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, Tas., 2005), p 491-6.

Davis, R P, 'Tasmania', in D J Murphy, (ed), *Labor in Politics: the State Labor Parties in Australia 1880-1920*, (St Lucia, 1975), pp 389-445.

Felmingham, Bruce, 'Economy', in Alison Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, 2005), pp 420-5.

Felton, Heather, 'Johnston, Robert Mackenzie', in Alison Alexander, (ed), *The Companion to Tasmanian History*, (Hobart 2005), p 195.

Frank, Christopher, 'Britain: The Defeat of the 1844 *Master and Servants Bill*', in Douglas Hay and Paul Craven, (eds), *Masters, Servants, and Magistrates in Britain and the Empire, 1562-1955*, (London, 2004), pp 402-421.

Fysh, Hudson, *Henry Reed, Van Diemen's Land Pioneer*, (Hobart, Tas., 1973).

Gardam, Faye, *Sawdust, Sails and Sweat, a History of the River Don Settlement, North-West Coast, Tasmania*, (Port Sorell, Tas., 1996).

Gascoigne, John, *The Enlightenment and the Origins of European Australia*, (Cambridge, 2002).

Graham, Jeanine, *Frederick Weld*, (Auckland, New Zealand, 1983).

Hall, A J R, *The History of Dunorlan*, (Launceston, Tas., ?1984).

Hargraves, Marita, *Inducements and Agents: German, Northern European and Scandinavian Recruitment to Tasmania 1855-1887*, (Sandy Bay, Tas., 2003).

Hartwell, R M, *The Economic Development of Van Diemen's Land 1820-1850*, (Melbourne, 1954).

Hay, Douglas and Craven, Paul, (eds), *Masters, Servants, and Magistrates in Britain and the Empire, 1562-1955*, (London, 2004).

Haygarth, Nic, *Baron Bischoff: Philosopher Smith and the Birth of Tasmanian Mining*, (Perth, Tas., 2004).

Holiday, Audrey and John Trigg, *From Black Snake to Bronte: Heritage Buildings of the Derwent Valley in Tasmania*, (Taroona, Tas., 1988), pp 96-7, 90-1.

Hudspeth, A, 'Shipping and Ports' in Alison Alexander (ed), *The Companion to Tasmanian History*, (Hobart, 2005), p 332.

Jennings, Jeff, *A History of Bridport: to Commemorate the Centenary of the Proclamation of the Township of Bridport, 1883-1983*, (Bridport, Tas., 1983).

Jetson, Tim, *The Roof of Tasmania: A History of the Central Plateau*, (Launceston, 1989).

Jetson, Tim, *It's a Different Country Down There: A History of Droving in Western Tasmania*, (Smithton, Tas., 2004).

Jones, Alan, *Backsight: A History of Surveying in Colonial Tasmania*, (Hobart, 1989).

Kiddle, Margaret, *Men of Yesterday: a Social History of the Western District of Victoria 1834-1890*, (Melbourne, 1961).

Kirkpatrick, Jamie and Kerry Bridle, (eds), *People, Sheep and Nature Conservation: The Tasmanian Experience*, (Collingwood, Vic., 2007), p 21.

Kirkpatrick, Jamie, 'History', in Jamie Kirkpatrick and Kerry Bridle, (eds), *People, Sheep and Nature Conservation: The Tasmanian Experience*, (Collingwood, Vic., 2007), pp 2-43.

Lawrence, E Frank, *1823-Before and After*, (Melbourne, 1973).

Linge, G J R, *Industrial Awakening: A Geography of Australian Manufacturing 1788 to 1890*, (Canberra, 1979).

Loone, A W, *Tasmania's North-East: A Comprehensive History of North Eastern Tasmania and Its People*, (Launceston, Tas., 1981, originally published by the *Examiner*, 1928).

McFarlane, Ian, *Beyond Awakening the Aboriginal Tribes of North-West Tasmania: A History*, (Launceston, 2008).

MacFarlane, W H, *W H Macfarlane's History of North East Tasmania*, John Beswick, (ed), (Scottsdale, Tas., 2007).

McKay, Anne, (ed), *Journals of the Land Commissioners for Van Diemen's Land, 1826-28*, (Hobart, 1962).

Mason-Cox, Margaret, *Lifblood of a Colony: A History of Irrigation in Tasmania*, (Hobart, Tas., 1994).

Meinig, D W, *On the Margins of the Good Earth: the South Australian Wheat Frontier 1869-1884*, (London, 1962).

Morgan, Sharon, *Land Settlement in Early Tasmania: Creating an Antipodean England*, (Cambridge, 1992).

Murphy, D J, (ed), *Labor in Politics: the State Labor Parties in Australia 1880-1920*, (St Lucia, 1975).

Nash, M, *The Bay Whalers: Tasmania's Shore-based Whaling Industry*, (Woden, ACT, 2003).

Nyman, Lois, *The East Coasters*, (Launceston, Tas., 1990).

Petrow, Stefan, 'The State', in Alison Alexander, (ed), *The Companion to Tasmanian History*, (Hobart, 2005), pp 483-90.

Pink, Kerry, *And Wealth for Toil: A History of North-West and Western Tasmania 1825-1900*, (Burnie, Tas., 1990).

Quinlan, Michael, 'Australia, 1788-1902: A Workingman's Paradise?', in Douglas Hay and Paul Craven, (eds), *Masters, Servants, and Magistrates in Britain and the Empire, 1562-1955*, (London, 2004), pp 219-250.

Reid, Owen, *History of the North West*, (Hobart, Tas., 1976).

Reynolds, Henry, *A History of Tasmania*, (Melbourne, 2012).

Roberts, Glyn, *Metal Mining in Tasmania 1804-1914: How Government Helped Shape the Mining Industry*, (Launceston, Tas., 2007).

Roberts, S H, *History of Australian Land Settlement 1788-1920*, (Melbourne, 1968, first published 1924).

Robson, Lloyd, *A History of Tasmania: Volume I: Van Diemen's Land from the Earliest Times to 1855*, (Melbourne, 1983).

Robson, Lloyd, *A History of Tasmania: Volume 2 Colony and State from 1856 to the 1980s*, (Melbourne, 1991).

Robson, Lloyd, *A Short History of Tasmania*, edited by M Roe, 2nd ed, (Melbourne, 1997).

Roe, Michael, *Quest for Authority in Eastern Australia 1835-1851*, (Melbourne, 1965).

Rolls, Eric, *They All Ran Wild: the Story of Pests on the Land in Australia*, (Sydney, 1969).

Rose, Dennis, *Lewis' Australian Bankruptcy Law*, 11<sup>th</sup> ed, (Sydney, 1999).

Rostow, W W, *British Economy of the Nineteenth Century*, (Oxford, 1948).

Russell, Sir E John, *A History of Agricultural Science in Great Britain 1620-1954*, (London, 1966).

Scott, Joan, *Celestial Sojourn: the Chinese on the Tin Fields of North East Tasmania*, (Daylesford, Vic., 2008).

Scott-Young, Helen, 'The Gibson Family', in Alison Alexander, ed, *The Companion to Tasmanian History*, (Hobart, Tas., 2005), pp 160-1.

Schultz, Julianne, 'Oscillating Wildly: Learning from the Past to Create the Future', *Griffith Review 39: Tasmania The Tipping Point*, (South Brisbane, 2013), pp 7-8.

Shaw, A G L, *Sir George Arthur, Bart 1784-1854*, (Melbourne, 1980).

Smith, Babette, *Australia's Birthstain: The Startling Legacy of the Convict Era*, (Crows Nest, NSW, 2008).

Stilwell, Geoffrey, 'The Castra Scheme', in Gillian Winter, (ed), *Tasmanian Insights: Essays in Honour of Geoffrey Thomas Stilwell*, (Hobart, Tas., 1992), pp 11-30.

Townsley, W A, *Tasmania: From Colony to Statehood 1803-1945*, (Hobart, 1991).

'Van Diemen's Land Company', <http://www.vdlfarms.com.au/>, accessed 30 June 2013.

Van Diemen's Land Company Annual Report 2011,  
<http://www.vdlfarms.com.au/assets/files/VDL%20Financial%20Reports/2011%20VDL%20Annual%20Report.pdf>, accessed 3 December 2013.

von Stieglitz, K R, *A History of New Norfolk and the Derwent Valley*, (Launceston, Tas., 1962).

Waterson, D B, *Squatter, Selector, and Storekeeper: a History of the Darling Downs 1859-93*, (Sydney, 1968).



Weaver, John, *The Great Land Rush and the Making of the Modern World, 1650-1900*, (Montreal, 2001).

Wettenhall, R L, *A Guide to Tasmanian Government*, (Hobart, 1968).

Wiener, Martin J, *English culture and the Decline of the Industrial Spirit, 1850-1980*, (Harmondsworth, Middlesex, 1985),

Wilson, Graham and Martin Davies, *Norfolk Island Archaeological Report on Kingston—Arthur's Vale Area: Research and Survey Vol I*, (Canberra, 1980).

Winter, Gillian, (ed), *Tasmanian Insights: Essays in Honour of Geoffrey Thomas Stilwell*, (Hobart, Tas., 1992).

Woolley, Richie and Wayne Smith, *A History of the Huon and the Far South: Vol 1, Before the Orchards Grew*, (Huonville, Tas., 2004).

## Periodical Articles

Bolton, G, 'The Idea of a Colonial Gentry', *Historical Studies*, XIII, (October 1868), pp 307-28.

Crowley, F K, 'Immigration into Tasmania from the United Kingdom, 1860-1919', *THRAPapers and Proceedings*, 3, no 6, (1954), pp 103-8.

Davidson, J, 'On the Growth of the Sheep Population in Tasmania', *Transactions of the Royal Society of South Australia*, 62, (1938), pp 342-346.

French, Maurice, 'Squatters and Separation: a Synoptic Overview', *Queensland History Journal*, 20, no 13, (2010), pp 804-19.

Hess, Michael, 'Who Needs Tasmanian Business and Labour History?' *Tasmanian Historical Studies*, 15, (2010), pp 1-6.

Hicks, F W, 'The Derby Demonstration Area (Interim Report)', *Tasmanian Journal of Agriculture*, IV, no 1, (1933), pp 27-31.

Hughes, J R T, 'The Commercial Crisis of 1857', *Oxford Economic Papers*, no 2, (June 1956), pp 194-222.

Kellaway, R, 'Tasmania and the Otago Gold Rush, 1861-1865,' *THRA Papers and Proceedings*, 46, (1976), pp 213-29.

Meikle, B, 'Hard Times in the Golden Age: The Long Depression of Tasmania, 1857-75', *Tasmanian Historical Studies*, 15, (2010), pp 39-70.

Murray, Georgina and Jenny Chesters, 'Economic Wealth and Political Power in Australia, 1788-2010', *Labour History*, 103, (November 2012), pp 1-16.

Petrow, Stefan, 'Boom, Slump and Bust: Banks in Nineteenth Century Launceston', *Launceston Historical Society Papers and Proceedings*, 18, pp 72-86.

Petrow, Stefan, 'The Bully of Tasmanian Politics: John Donnellan Balfe 1850-1880', *THRA Papers and Proceedings*, 46, no 3, (1999), pp 241-54.

Petrow, Stefan. 'Discontent and Habits of Evasion: The Collection of Quit Rents in Van Diemen's Land, 1825-1863', *Australian Historical Studies*, 32, no 117, (October 2001), pp 240-56.

Petrow, Stefan, 'Leisure for the Toilers: the Hobart Working Men's Club 1864-1887', *THRA Papers and Proceedings*, 49, no 2, (2002), pp. 71-87.

Petrow, Stefan, 'Municipal Heaven: Launceston 1853-1914', *Launceston Historical Society Papers and Proceedings*, 15, pp 16-25.

Petrow, Stefan, 'Outsider in Politics: John Davies in Parliament 1861-1872', *THRA Papers and Proceedings*, 50, no 4, (2003), pp 117-34.

'Pleasant Banks', *THRA Papers and Proceedings*, 12, no 1, (October 1964), pp 33-35.

Reynolds, Henry, 'Men of Substance and Deservedly Good Repute - Tasmanian Gentry 1856-1875', *Australian Journal of Politics and History*, 15, no 3, (1969), pp 61-72.

Reynolds, Henry, 'Regionalism in Nineteenth Century Tasmania', *THRA Papers and Proceedings*, 17, no 1, (1969), pp 11-28.

Scott, P, 'Transhumance in Tasmania', *New Zealand Geographer*, 11, (1955), pp 157-72.

Shaw, A G L, 'The Eldershaw Memorial Lecture 1969, a Colonial Ruler in Two Hemispheres: Sir George Arthur in Van Diemen's Land and Canada,' *THRA Papers and Proceedings*, 17, no 3, (1969), pp 80-102.

Townsley, W A, 'Tasmania and the Great Economic Depression, 1858-1872', *THRA Papers and Proceedings*, 4, (1955), pp 35-46.

Worster, Donald, 'Transformations of the Earth: Toward an Agroecological Perspective in History', *Journal of American History*, 76, no 4, (March 1990), pp 1087-1106.

## **Unpublished Theses and Papers**

Alison Alexander, 'Henry Hopkins and George Clarke: Two Tasmanian Non-Conformists', MA thesis, University of Tasmania, 1983.

- Boyce, (Peter) James, 'An Environmental History of British Settlement in Van Diemen's Land: The Making of a Distinct People, 1798-1831', unpublished PhD Thesis, Geography and Environmental Studies, University of Tasmania, 2006.
- Reynolds, Henry, 'The Island Colony Tasmania: Society and Politics 1880-1900', MA thesis, University of Tasmania, 1964.
- Rootes, Grant, 'A Chaotic State of Affairs: The Permissive System of Local Government in Rural Tasmania 1840-1907', PhD thesis, University of Tasmania, 2008.
- Rootes, Grant, 'Regional Influences on Political Perspectives: William Moore and Colonial Tasmania, 1871-1909', BA (Hons) thesis, University of Tasmania, 2001.
- Stokes, H J W, 'North-West Tasmania 1858-1910: The Establishment of an Agricultural Community', PhD thesis, Australian National University, 1969.
- Stokes, H J W, 'The Settlement and Development of the Van Diemen's Land Company's Grants in North-Western Van Diemen's Land, 1824-1860', BA Hons thesis, University of Tasmania, 1964.
- Robson, L L, 'Press and Politics: A Study of Elections and Political Issues in Tasmania from 1856, When Self Government Came into Effect, to 1871', MA thesis, University of Tasmania, 1955.
- Sprod, Michael, 'Politics and Government Finance, Tasmania 1856-1880: a Study of Government financial Policy as a Political Issue during the first Twenty-four Years of Self-government in Tasmania', B Ed Dissertation, Tasmanian College of Advanced Education, 1980.
- Young, David, 'Conservation policy and practice in Tasmanian Forests, 1870-1900', Grad Dip Environmental Studies thesis, University of Tasmania, 1991.

## **Oral Communication**

Personal communication. Robert Higgins, Program Leader, Survey & Administrative Drafting Services, Information and Land Services Division, Tasmania: Department of Primary Industries, Parks, Water and Environment (DPIPWE), 16 January 2013.